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GREAT-GRANDFATHER OLIVER CROSBY

GREAT-GRANDMOTHER RACHEL STICKNEY CROSBY

Two Crosby Families

By Simon Percy Crosby

1912

"But how he lived, and where and when,
It matters not to other men;
For as a fountain disappears,
To gush again in later years,
So hidden blood may find the day,
When centuries have rolled away,
And fresher lives betray at last
The lineage of a far-off past."

—

"The hills are dearest which our childish feet have climbed the earliest."

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Simon Flagg Crosby
Dec 31 1912

TO THE SURVIVORS OF

Josiah Crosby's Family

AND TO THEIR RELATIONS AND
INTIMATE FRIENDS THIS BOOK
IS RESPECTFULLY DEDICATED
BY THE AUTHOR

Introduction

The object of this book is to give a biographical account of the members of two Crosby families for the purpose of preserving family history, and thinking it might be of interest not only to the survivors written about, but especially to their descendants.

I have done this work at the request of my brothers and sisters, and of my own volition.

Much more could be said of each, and possibly couched in more rhetorical language, but my object has been simply to give a narrative of facts and events in the everyday vernacular.

I have given special attention to our ancestry preceding the arrival of our common ancestor, Simon Crosby, in America in 1635, my information being obtained from the most reliable sources obtainable in this country; and I doubt if more reliable or interesting history of our ancestors can be found among the archives of historic England.

It is a well-known fact that in pursuing heraldry and ancient or family history you are surrounded by myths, and that to begin at some reasonably correct starting point is more satisfactory than delving into uncertainties.

Between our common ancestor, Simon, who was born in 1609, and our grandfather, Oliver Crosby, born in 1769, there are three generations of Crosbys of which much could be written.

Our great-grandfather, Oliver Crosby, born in Billerica, Mass., in 1744, was a Revolutionary soldier. In 1775

he was a lieutenant in command of twelve men, and assisted in driving the British from Lexington to Boston. He had volunteered and gave his best efforts to sustain the Revolution. He was also at the Battle of Bunker Hill. He was known as Major Crosby.

In 1799 and 1800 he represented Billerica in the General Court of Massachusetts, and was considered a good representative of Massachusetts "Whiggery."

It is through this ancestor that his descendants are eligible to the Sons of the American Revolution.

As to all other intervening Crosbys, I can but refer the reader to the chart and general family genealogy.

I have only casually mentioned the wives and children and some family connections. Much of interest could be said of all of them, but the object of this book is the history of two Crosby families only.

I am indebted to my brother, Oliver Crosby, who has always been much interested in the Crosby genealogy, for records and data in his possession, and he has liberally contributed to the expense of the volume, which will be presented to the relatives and intimate friends of the family.

S. P. C.

General Ancestry

"It is wise for us to recur to the history of our ancestors. Those who do not look upon themselves as a line connecting the past with the future do not perform their duty to the world."—Daniel Webster.

Judge Nathan Crosby, late of Lowell, Mass., has written a book with much apparent care and research, entitled "A Crosby Family."

I visited Great Britain in 1910, again in 1912, and tried to ascertain from what resources I could get reliable information concerning our ancestry. I visited the official Heraldry office in London, and there found a starting point for this little volume. Information which was officially reliable.

But all there was to be found in the records of this government office were small data as to Crosby names, dates, etc., by employing experienced men as tracers and researchers, who would undoubtedly give truthful accounts of what records they found of the Crosby family, if given plenty of time and ample compensation; but I found nothing more than had already been obtained.

After finding out the amount of research required in England I returned to the United States and examined all the records, historical and biographical, accessible, but found nothing that appealed to me as more reliable than Judge Crosby's book, "The Crosbys in England;" and from his faithful work I abstract the following:

"The Crosbys in England."

1. One in Lincolnshire, a short distance south of the Humber, and between the rivers Trent and Ankholm.

The oldest mention I can find of this place is in the "Valor Ecclesias" of Henry VIII. It is there spoken of as a dependency of the Priory Thorneholme (and thus of Thorneton Abbey) and of the Gaykewell Monastery, and situate on the Deaconate of Manlake.

2. Crosby Garret (also called Crosby Gerard, Crosby Gerrard, Crosbygere and Crosbyger) is in Westmoreland, about sixteen miles east of Ulleswater.

It is probably the same with "Parva Crossebygg in Westmoreland" of Edward II's reign, 1310. It is mentioned in Richard II's reign, 1380, and afterwards.

3. Crosby Ravensworth (also called Crosby Ravenswath, and perhaps Crosby Banke) is in Westmoreland, six miles west of Crosby Garret.

4. Crosby (called Crosseby in Allerdale, and perhaps Crosby Cannonby, and in Edward I's time Alta Cresseby, 1300) is a barony, four miles north of Carlisle in Cumberland. I find it first mentioned about 1300 in the Placita de quo Warranto of Edward I.

5. Crosby in Cumberland on the sea coast, about twenty miles southwest of Carlisle.

6. Crosby in Lancashire, a few miles north of Liverpool, divided into Great and Little Crosby, called also Crosby Magna and Crosby Parva, also Moche Crosby and Lytyll Crosby.

It is also written Crosseby and Crossebury. The earliest mention I can find of it is in Henry III's reign (Testa de Nevil), 1220.

7. Crosby (also called Crosbie) in the Parish of Kilbride, Ayrshire, Scotland, near the mouth of the Clyde.

8. Crosby, a small hamlet in the center of the Isle of Man.

The name Crosby means "Town of the Cross." The termination "by" in English towns is a Danish form of

"burgh," "bury" or "borough." The towns so called are found in great numbers where the Danes formed settlements, principally along the sea coasts of the north of England.

It is probable that the eight Crosbys above given were originally Danish settlements,—the name not being borrowed from one for the other, but given to each independently.

It was a very natural name to give; a cross probably being erected (as was common with Northmen) where the settlement was made.

* * * * * * * *

The oldest occurrence of the family name of Crosby I find in the sixth year of King John's reign, 1204. From 1204 to 1466 we find Crosby spelled in the various ways aforesaid, holding the offices of constable, king's officer, procurator by the Abbot of Croyland, custos feodum, custos garderobe and other official positions appointed by the King.

In 1466, during Edward VI's reign, John Crosby, a wealthy merchant of London, who had been alderman, sheriff and member of parliament, and who became Sir John Crosby, erected the splendid Crosby Hall, on the east side of Bishopgate street, in London, on land leased from the Convent of St. Helen's. He died in 1475, about nine years after he erected it, and a few years later it became the residence of the Duke of Gloucester (Richard III). As such Shakespeare mentions it.

In the Church of St. Helen's, London, Sir John and his family were buried. The sepulchral monument bears the following:

"1475. Orate pro animabus Johannis Crosby militis, ald. atque tempore vite majoris staple

ville Caleis; et Agnetis uxoris sue ac Thome, Richardi, Johannis, Margarete and Johanne, liberorum ejusdem Johannis Crosby militis; ille obiit 1475, et illa 1466, quorum animabus propitietur Deus."

Crosby Hall for several centuries has been well known in London,—celebrated as a place of great entertainment and hospitality, and repaired to many times by the most prominent titled, official and literary men of London. It has ever been very popular.

After remaining as a well known landmark for more than five hundred years on Bishopgate street, it was taken down and rebuilt on the Chelsea Embankment,—completed in 1910. "Crosby Place" is a small court reached by a narrow passage from Bishopgate street. One side of the original Crosby Hall formerly faced this court. The Bank of India now occupies the site of Crosby Hall. Here is what the special correspondent of the New York Times says of the famous structure:

London, July 1, 1910.—A work which will interest American visitors to London has been completed, and Crosby Hall, the beautiful specimen of English fifteenth century architecture, built by Alderman Sir John Crosby in 1466, which was torn down in its original site in the heart of the city, has now been re-erected in Chelsea, where it is to be used as a University Hall of Residence, and where visitors will be allowed to inspect it.

There are many who declare that the building should never have been torn down; that, whatever the modern exigencies, such a treasure should have been allowed to stand where it was originally erected. But what harm has been done is now beyond recall, and it is satisfactory to

know that the work of removal has been accomplished in the most skillful and conscientious manner.

Every stone, it is said, was numbered, and the building which now stands on the Chelsea Embankment is precisely the building which used to be in the city.

Crosby Hall, which is mentioned by Shakespeare in "Richard III," was at one time occupied by the notorious Duke of Gloucester, afterwards Richard III, and later was the property of Sir John More.

It was, indeed, this circumstance which suggested the rebuilding of the hall in Chelsea, for it has been put up on the site of Sir Thomas More's garden in that historic quarter of London.

The exterior appearance of the building gains greatly from the removal, for it is now seen to advantage; whereas previously it was concealed by offices, etc., around it. With its new coat of plaster inside, and the carefully cleaned stones of the outer fabric, the hall at present looks like a new building; but London climate will soon attend to that, and in a few years the structure will look as old as it is.

To celebrate the completion of the reconstruction a reception was given in the hall yesterday afternoon by the chairman and council of the University and City Associations of London and the warden of the University Hall of Residence, the well known Prof. Patrick Geddes. The latter was largely instrumental in saving the hall from destruction.

Owing to the death of King Edward the formal opening ceremony will not be held until next year; but the proceedings yesterday were very interesting and were made the more notable by a clever speech by the Right Hon. John Burns.

Among those present besides Mr. Burns were Whitaker Thompson, chairman of the London County Council;

Sir Melvill Beachcroft, ex-chairman of the London County Council; Lord and Lady Shuttleworth; the Bishop of Kensington; Prof. Miers, principal of the London University; Sir Felix and Lady Schuster; Christopher Head, mayor of Chelsea; Hayes Fisher, M. P., L. C. C., and Sir Homewood Crawford.

In the course of his address Mr. Burns said it was appropriate in these days, when the love of the beautiful in the city and in the home was becoming not only the possession of the rich, but the desire and possession of the very poor, that they should make a feature in that fine building of housing and town planning, and that connected with it should be the work of that brave pioneer and fine spirit, Mr. Geddes, to whom town planning owed so much. He (Mr. Burns) was in Crosby Hall that afternoon to share with them the pleasure of its association. He could not help going to a spare corner of his library and turning up a little book which he bought when an apprentice lad over forty years ago on the banks of the Thames at Westminster, and which first gave him his love of the work and of the beautiful character of the man who wrote "Utopia" in that actual building. And he confessed that as a London apprentice he possibly owed more to the reading of Sir Thomas More's "Utopia" than to any three men.

As a Londoner he was delighted that they could claim the great Sir Thomas More as a citizen of London, born in Cheapside and living in Chelsea. He had always regarded More as one of the meekest of characters, as he was one of the most manly of martyrs who had illumined the pages of history.

It was well that a man could embody in his work and life and death the fine qualities that Sir Thomas More possessed,—poet and lawyer (not often combined), prophet and economist, town planner and labor leader, the friend

of public health, the apostle of rational leisure and exalted pleasure, the humorist whose altruism was as noble in ideal as it was in his aims, a zealot in religion, but not a bigot, as tolerant in all he did as the air and climate of England.

He could not help referring to More's quaint humor, his mellow wit (and it was well to know it in these days), his high domestic qualities and the wonderful devotion he had for his children.

In his (Mr. Burns') boyhood days he always allowed More to share in his hero worship with Milton, Bunyan, Cromwell and Charles of Sweden. He considered More the best of them all, because he lived in the parish just across the water.

He had come there that afternoon a London workman —who, to a great extent, was inspired in his early days by reading Sir Thomas More,—to say that for all of them he was a beacon, and for most of them a guide.

Mr. Hayes Fisher took advantage of the occasion to make an interesting announcement. He said he believed the ratepayers would support any London County Council that spent some of its money in the preservation of such buildings as Crosby Hall. He was delighted to hear the previous night from Mr. Gomme that the magnificent specimen of a boat of the Roman period, which had been discovered on the very spot where they were going to erect the county hall, was to be preserved and stored, so that Londoners might retain it in their possession.

There were those who thought that he, as chairman of the Finance Committee, would object to the expenditure of two hundred pounds ($1,000) for the provision of a suitable building in which to place the boat; but that was not so.

Ernest Howard Crosby, son of the late Dr. Howard Crosby, a prominent Presbyterian clergyman and public-spirited citizen of New York, in 1898 wrote as follows concerning our ancestor:

In the year 1635, and probably in the month of May, the ship "Susan and Ellen," Edward Payne, master, set sail from the port of London for New England. Among the ninety-four passengers whom she carried were Simon Crosby, husbandman, aged twenty-six or twenty-nine (authorities differing), and their son, Thomas, an infant of eight months.

All the ship's company brought certificates from the minister and justices of the peace that they were no subsidy men and were conformable to the order and discipline of the Church of England.

Every attempt to fix the place of Simon's English home has been unsuccessful. We know the name Crosby signifies Cross-borough or Cross-town, and that it is borne by eight places in England. . . . The family must originally have derived its name from one of these places. Thus, in 1220, Simon de Crosby is mentioned as holding in Crosby in Lancashire, from which village he had evidently drawn his surname.

In the early part of the seventeenth century the name is found in London, and in Essex, Hertfordshire and other counties near the metropolis.

Only one bearer of the name had distinguished himself, and this was Sir John Crosby, a wealthy merchant, who became alderman and sheriff of London in 1470, and was knighted by Edward IV in 1471 for helping in the defense of London against an attack of pirates.

Sir John built Crosby Place, now called Crosby Hall, for his residence, at that time the finest house in London. The hall "Throne Room" and Council Chamber are still

standing,—or were until taken down and restored in Chester, outside of London, in 1910.

The place was once occupied by the Duke of Gloucester, afterwards Richard III, and has been immortalized by Shakespeare. In "Richard III" Gloucester asks Lady Anne to repair to Crosby House.—(Act I, Scene 2.)

In the same house Sir Thomas More lived seven years, and there wrote his "Utopia."

Sir John Crosby was sent by King Edward III on a mission to the Duke of Burgundy and Brittany. He died in 1475; and his tomb in St. Helen's, Bishopgate, London, is one of the finest examples of monumental architecture in England. One of his sons was named Thomas.

It is impossible to prove any connection between this family and the emigrant of 1635, although it is not unlikely that they came from the same stock.

———

Dr. Cutter, in his history of the Town of Jeffery, N. H., in 1881, says:

The Crosby family is one of the many distinguished English families who settled in New England. In their ranks are a large number of literary men, graduates of colleges and many who have distinguished themselves in the learned professions.

The origin of the New England portion of the family has been traced to Simon de Crosby, of Lancashire, England, 1220. The chart at the close of this volume shows the descendants of our branch of the Crosby family to the present time.

Doubtless there is much of interest that could be written of the Crosbys living between our common ancestor, Simon Crosby, who came over in 1635, and Grandfather Oliver Crosby, who was born in 1769; but it is the object of this book only to write up two generations.

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Oliver Crosby

1769 - 1851

GRANDFATHER OLIVER CROSBY

GRANDFATHER OLIVER CROSBY was born in Billerica, Mass., March 17, 1769, graduated from Harvard College in 1795 (standing second in class rank), and married Harriet Chase, of Portsmouth, N. H., September 11, 1800.

It was in Billerica that grandfather heard the first guns fired at Lexington, the commencement of the Revolution. Later in life he frequently stated this and other thrilling facts to his children, giving many incidents of those patriotic days.

He moved with his family from Billerica to Dover, N. H., where he was admitted to the bar and practiced law until 1812.

In 1812 he was part owner in a sailing vessel which was seized by the British; and from 1817 to 1822 he was owner of a cotton manufacturing plant in Dover.

About 1820 there was an exodus from the interior and southern parts of New England to a more eastern part of that section of the country, where land was selling cheap. It probably appeared to grandfather like the tide in the affairs of men, which taken at its flood leads on to fortune. It was this movement, in part at least, that induced him to leave the pleasant and prosperous village of Dover and seek a home in the "woods of Maine," as it was then called. This act of his, leaving a cultivated locality, happy surroundings with the comforts of life, was not only criticised by his family, but met with many objections.

But, the man being the head of the household (a common characteristic in the Crosby family), the change was

decided upon. The move was made by team. Atkinson, in Piscataquis County, Maine, was the destination. A log house was constructed, which was located about a thousand feet south of the large and commodious frame house subsequently built. This latter building stands yet and is in a fair state of preservation.

It will be remembered by the older residents of Piscataquis and Penobscot counties that the "Old Crosby Place," so called, is about a mile east and a little north of Atkinson Corner,—only a short distance from the Sebec railroad station.

The members of the family have often spoken of the happy days spent in the log house, which served well for several years, until the commodious frame "mansion" was erected.

One peculiarity of the latter house is the sliding shutters on the windows,—sliding into and through the casings and into the walls, and when pulled out over the windows excluding every ray of light (and air, too), thus making the rooms almost sealed, and more private than any modern curtain or blind.

The old clock standing in the hall in those days, with its beautiful and dignified proportions and classic tick, is now in the possession of one of his grandsons, Oliver Crosby, of St. Paul, Minn., who values the historic piece of mechanism as of old gold.

The fire-places—one in each room,—a speaking tube from cellar to garret, the old well with windlass and oaken bucket in the ell of the house, with its never-failing supply of water, sparkling and cold, were among the many things of interest in the old house. And the beautiful ash shade trees on each side of the road fronting the old homestead will never be forgotten by the wayfarer.

The towns of Atkinson and Charleston were originally

owned by Atkinson, Livermore and Crosby, the three owning about equal parts. As a boy I occasionally met a man who would say, "I bought my land from your grandfather." He sold many thousand acres, finally reserving for himself between three and four hundred acres for his homestead, and farmed it all.

Although before the days of railroads, or even common highways for a long time, and farm machinery and modern methods unknown, he made farming on a large scale successful.

In those somewhat primitive days more thought, or much thought, was bestowed by the progressive and educated citizen upon rearing and liberally educating a large family of children, building up character and instilling into them strong manhood and womanhood, rather than concentrating their forces upon accumulating wealth.

In haying time about twenty extra men were employed. They slept in the attic on camp beds. It was one of my father's childhood delights during heavy rain storms to go up and sleep with the men and hear the big drops of rain patter on the roof.

In its day the old place was well known in that part of the state, and its many social gatherings brought friends from long distances. The old-fashioned "carryall," being the only vehicle of comfort in doubtful weather, was always used by friends from Bangor and other places in what was called a "carryall drive." Some came on horseback.

The old barn raisings, husking bees and paring bees were in vogue in those days. Appropriate poetry was written by someone upon the raising of the long barn on the old place, and many years after this poem was resurrected and published in the Bangor Commercial. I remember the poem recited something about the refresh-

ments, and that one happy-spirited fellow climbed up the newly-erected frame to the ridge-pole and there proposed a toast, and threw his bottle to the ground—probably after drinking its contents. I do not think the nature of said contents was mentioned. It must not be forgotten, however, that the temperance question did not engage the minds of the people in those days so strongly and decisively as at the present time. Prohibition had not achieved such strength.

Grandfather and family had the acquaintance and friendship of all the most prominent and intellectual families in that vicinity, some of whom became especially eminent. The late Chief Justice John Appleton lived at Sebec, about three miles away, and was a frequent visitor, as were also Hon. Abram Sanborn, Judge Kent and others from Bangor.

There were many visitors from Foxcroft and Dover, and in fact from all over Piscataquis and Penobscot counties, whose names I shall not attempt to give. But it is safe to say "the latch-string was always out at the old Crosby homestead." He was one of the original elected trustees of Foxcroft Academy in 1823.

The Piscataquis river runs through the farm on the north, and in the day of which I write salmon were plenty in the old river. They must have been plentiful, as this delicious fish then retailed at three cents a pound.

Six children were born to this couple.

THE OLD ATKINSON HOMESTEAD

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Harriet Chase Crosby

1769 - 1843

GRANDMOTHER HARRIET CHASE CROSBY

GRANDMOTHER HARRIET CROSBY, the highly esteemed wife of Oliver Crosby, and the loving and devoted mother of their six children, was a woman of strong character, and took an active part in rearing her family, furnishing her full share of intelligence and judgment in carrying on the farm.

She was a woman of much executive ability, and her overseeing of farm work, especially that part which is performed in the house, would indicate that she was a woman of thought.

While newspapers, books and magazines were comparatively scarce in those days, she was a great reader and kept abreast with what the world was doing.

In her household matters she directed with the ability necessary to provide for thirty or more people in the busy seasons of haying and harvesting. She made currant and elderberry "wine," so-called, by the barrel; and hundreds of pounds of sausages, which kept by being put down in lard, for the year's supply. Her sweet yellow butter had a great reputation.

She at times had earnest discussions with grandfather upon matters which naturally arose, and, while he would say she "wanted to measure everything in her own half-bushel," he quite often accepted her opinion and let her have her way.

The old family portraits of grandfather and grandmother, also of great-grandfather and great-grandmother, who lived and died in Portsmouth, N. H., are family treasures, highly prized by all of us, now in the old Dexter homestead, owned and occupied by Brother J. Willis Crosby. These four pictures are most artistically done and framed in heavy gilt frames.

When sitting for her portrait grandmother wore a graceful white turban, which was very becoming. In her face is shown much character and strong intellect, with a pleasant expression of love and benevolence.

In religious matters, early in life she adhered to the old orthodox tenets and the literal teaching of scripture, but later she seemed to have outgrown the old creeds and embraced the faith of the Golden Rule and the Sermon on the Mount.

Grandmother died before grandfather, and he had engraved upon her tombstone that beautiful and appropriate verse, "Her children rise up and call her blessed; her husband also, and he praiseth her."

There are now no survivors of the family of Oliver Crosby of Atkinson, the last to pass away being Cornelia, in 1906, in the 95th year of her life.

In writing of our ancestors we are naturally partial, and no doubt lean in their direction in extolling their virtues, perhaps unduly.

While I never saw my grandparents, I knew all the children well, except Harriet, who died before my time. I have talked with many who knew grandfather and grandmother, besides relations, and I believe I have portrayed them truthfully, though imperfectly.

Grandfather was an eminently just man in all things. Although retired from the practice of law, his counsel was often sought and valued. His mannerisms and mode of speech were not always attractive, being somewhat commanding and exacting, possibly a little self-centered.

Grandmother was also a little self-centered, having a firm and strong opinion on matters which especially interested her, and having the assurance that she was most invariably right. Grandfather was called a rustic gentleman and grandmother a thorough lady, and both carried

through life those essentially sterling qualities which make the man and woman.

The remains of these grandparents are interred in the old family burying ground on the farm, a short distance west of the house. The artistic old stone wall surrounding the place is made of stones in their natural shape with uniform faces. A beautiful iron gate forms the entrance, placed there several years ago by Brother Oliver Crosby, the namesake of the family. The stately old evergreen trees still remain and others have grown up. Two plain marble slabs stand erect and silent. Upon the one marking grandfather's resting place is a brief epitaph, as follows:

OLIVER CROSBY.
BORN IN BILLERICA, MASS., 1769.
DIED IN ATKINSON, JULY 30, 1851.
AGE, 82 YEARS.

He graduated from Harvard University in 1795, and, after practicing law in Dover, N. H., for more than twenty years, he removed to Atkinson, where he was a proprietor when the fields were a forest, and spent the remainder of his days in the peaceful occupation of a farmer.

His life was long, useful and happy. He came to his grave in a full age, as a shock of corn in its season, leaving to his children the noble heritage of a loved and honored name.

"Mark the just man and behold the upright, for the end of that man is peace."

The inscription on grandmother's stone is:

MRS. HARRIET,
WIFE OF
MR. OLIVER CROSBY.
DIED
APRIL 3, 1843,
IN THE 65th YEAR
OF HER LIFE.

"Her children rise up and call her blessed; her husband also, and he praiseth her."

HARRIET CROSBY MORRILL

HARRIET, the first of my grandparents' six children, was born June 12, 1801, married Ephraim T. Morrill, and for a time they lived on the old place. She died in Bangor. There was never preserved a likeness of Aunt Harriet that we could learn of. Possibly none was ever taken, and for this reason her picture does not appear in the family group.

(In the old Dexter home there are family portraits—fine oil paintings—of grandfather and grandmother, also of great-grandfather and great-grandmother of Portsmouth, N. H., but none of the children; possibly it being too expensive in those days to have the children done in oil, as no doubt the size of the pocketbook controlled then as now.)

The children were Oliver Crosby, Caroline Prentice and De Witt Clinton. The latter lived for many years in Chicago, where he died in the late nineties. He traveled much and was highly intellectual and of great integrity. He served with credit in the Civil War.

Caroline Morrill married Frank Brown of Bangor, Maine. Her husband died a few years after his marriage, leaving two children—Kenneth and Francisca. Kenneth has made a record as a newspaper man and is a writer of ability in modern fiction. He married a Greek lady (Demetra Vaka) of great literary talent. She is the author of "Haremlik," a story of the life in the Turkish harem, and other novels. She is also a linguist of ability. Francisca married Henry Boone and lives in Charlottsville, Va. She is a woman greatly interested in equal suffrage and was the founder of the Woman's Club in Chicago.

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O Crosby

1802-1876

OLIVER CROSBY

OLIVER, the second child, was born in Dover, N. H., November 30, 1802; married Elizabeth Foss. They carried on a small farm in Atkinson, about half a mile from the old place, near the corner.

Uncle Oliver, while he lived a very simple life, was well informed. In his early days he and Aunt Cornelia were singers in the church choir in Atkinson. He was at times strongly urged by friends to accept office; and, although this was not to his liking, he served as town meeting moderator for Atkinson many times. Uncle Oliver was learned in astronomy and calculated the eclipses of the moon.

Mrs. Ford, mother of Mrs. Crosby Hutchinson, referred to later, was an old friend and neighbor, and related the following incident of an Atkinson town meeting:

Uncle Oliver was moderator, and a special matter of more than ordinary interest came up. There were so many town orators, several trying to speak at once, with their motions and amendments to motions, etc., that the moderator became agitated and a little vexed. Grandfather was sitting in the rear of the hall, saying nothing, but closely watching the moderator's actions, and, when he was on the point of giving vent to his feelings over the confusion made by debaters, grandfather caught his son's eye, and with his cane gave three light taps on the floor, saying "Tut, tut, tut!" Instantly the moderator controlled himself and straightened out the matter finely and all went well.

Who of these two generations of Crosbys doesn't know what "tut, tut, tut" means when coming from the pater-

nal head? Those sounds were like electric shocks to our childish ears, and they distinctly meant to us to "keep still," "stop where you are," "quiet down," and we can now see that they were generally judiciously used and properly obeyed.

Aunt Elizabeth, his wife, was a woman of a very kind disposition, stout and always sunny, and pleasant to meet and talk with—one who thoroughly convinced you of her goodness without saying so.

Uncle and aunt moved from Atkinson, Maine, to Fountaindale, Ill., in the early seventies, where they died. They had two children, Harriet Chase (Mrs. Edward Bebb) and Frances, or "Fannie." Mr. Bebb was a good and progressive citizen of Fountaindale. He had one son, named after him, Edward Bebb, a fine young man, now residing with his mother in Washington.

Hattie and Fannie live in Washington, D. C., Fannie being engaged in organized charity work, for which she is eminently fitted.

PUBLIC LIBRARY

M. C. Crosby

1806-1880

WILLIAM CHASE CROSBY

WILLIAM CHASE CROSBY, the third child, was born in Dover, N. H., December 2, 1806. Early in life he was a farmer in Atkinson and built the house now standing nearly opposite the old home. Later he became a lawyer in Bangor, and as counsel was much engaged in a certain class of cases, such as bankruptcy, and the legal affairs of the city.

He was a city alderman a number of terms, and at times was strongly talked of for mayor; but he was never ambitious politically, which can be said of all the Crosbys.

He married Mary Wilson November 26, 1832, who died October 28, 1865. Their children were: Wilson, born October, 1834. He became a civil engineer in New York City, where he lived with his wife and children for many years, but later resided in Bangor, Maine, where he attended to the business of his father's estate, being executor of the same.

Horace, the second son, was born June 6, 1838. He was also a civil engineer, and for many years was the city engineer of New Rochelle, N. Y., and considered one of the solid men of that locality and recognized as such. His wife is beloved by all. They have several charming children, and several years since we had the special pleasure of meeting Florence, their oldest daughter, a young lady of much ability and of lovable qualities, who readily makes friends, who visited St. Paul. She holds a fine position in one of the high schools of New Rochelle as a teacher of mathematics. Horace was greatly saddened in his late years by the death of two sons; Norman, the

oldest, by typhoid fever contracted in the Spanish war, and Frank, killed in a railroad accident.

William Crosby, the third son, was born July 3, 1843. When the Civil war broke out "Willie" enlisted and received the commission of lieutenant, and captain later. He was wounded in the army. He later resided with his family on a ranch in California, a successful farmer, finding out-of-door life more congenial than practicing law, which was his former vocation. He had several children, who were college graduates.

When he retired to his ranch, covering the beautiful hills of California, he had become disgusted with the law as practiced in that state and said if he could practice law as his father and "Uncle Josiah" did in Maine, he would do so, but as it was he preferred the more honest life of a California farmer or rancher. His wife, of Scotch descent, of Brooklyn, N. Y., married him after his change of business. When asked by her friends how she could bury herself among the hills, she said, "I could go anywhere with Captain Crosby," showing a devotion which "age did not wither." She died one year ago, greatly mourned by her husband and children.

Mary Crosby, the only daughter of William Chase, was born December 24, 1839. In her early days she was engaged in teaching, but in more recent years has been active in temperance work in Bangor. She is a strong character, and does much for charity and for the uplifting of those in less fortunate circumstances. She is a woman of most pleasing address. She was especially helpful to the older daughters of her uncle, Josiah, whom she invited to visit her when young, and helped to supervise their education.

Uncle William married the second time Susan W. Dunmore—no children. Among the pleasant recollections

of my life are the enjoyable visits to Uncle William's Fifth street house in Bangor. Aunt Sue, the second wife, was a most lovable woman. She could never do enough to make those around her happy. Nellie Dunmore, an adopted daughter, who is an accomplished musician, lived with her. My visits here were delightful, and often broke the occasional monotony of college life.

Chief Justice Appleton said of William Chase Crosby, at the time the Penobscot Bar honored his obsequies: "Notwithstanding he commenced the study of law late in life, he made himself the master of its principles. An acute and accurate lawyer, he was ever faithful to the interests of his clients. He was careful and cautious in giving advice, prudent in the institution of suits, and persevering in their prosecution. Neither time, nor labor, nor ability was wanting. Honorable and upright in all the relations of life, public and private, his integrity was above suspicion and reproach. Kind and affectionate to his friends and family. They knew well his home virtues and will deeply feel his loss."

BOSTON PUBLIC LIBRARY

C. C. Barrett

BORN 1810

CORNELIA CROSBY BARRETT

CORNELIA CROSBY BARRETT, the fourth child, was born in Dover, N. H., March 20, 1810. Married Dr. Amasa Barrett in 1844. Dr. Barrett was a well known dentist of Bangor, and especially skilled in his profession, but owing to feeble health and trouble with his eyes he gave up his practice and moved onto a farm in Brewer, where he spent the last years of his life with his family.

Of Cornelia Crosby Barrett an intimate friend, who knew her well, communicated to a Bangor daily at the time of her decease the following:

"In Mrs. Barrett we lose from the community a life of singular symmetry and completeness. Born in the first decade of the wonderful century, she lived all through and beyond it, and from so long appreciating and mentally following its progress she appeared to have gained something of its largeness and freedom of view. Always calm and reasonable; gentle, yet strong; dignified, yet simple; serious, yet sunny and sympathizing, there came from her presence a beautiful influence of reposeful kindness. She had a rare self, and she seemed to have an independence of prosperity and adversity attained by few.

"Her father was a lawyer by profession, but having purchased lands in Maine, he was obliged to move there and take care of them. They said he was carrying his family away to perish in the Maine wilderness, but the reverse proved to be the case, for in Atkinson he and his beautiful wife founded a very attractive home, which in time became a refined social center.

"Their six children grew to man and womanhood. Social intercourse did not then consist of short calls and meetings, but, on horseback, those who could do so went miles for long visits to the neighboring towns wherever was found congenial companionship.

"Four of the six children became connected with Bangor. William Crosby was an honored citizen. Josiah Crosby stood in friendly touch with our city, and public-spirited Mrs. Ingersoll is remembered with warm friendship by those of her generation and the succeeding one.

"I think it was in 1842 that Miss Cornelia Crosby married Dr. Amasa Barrett, who was a dentist in Bangor. Her family here consisted of a stepdaughter, Miss Martha Barrett, and later of two little daughters of her own. Miss Martha died after several years and also one of the little girls; but the other, who became first Mrs. Golay and after widowhood Mrs. Powers, survives her mother.

"Mrs. Barrett's Bangor life was full of useful activities. She was essentially a worker and a thinker. She was a fine homemaker, and the door of her home was always open. She worked for the public in the early struggling times of the Children's Home, and on the Sanitary Commission.

"As for her church, she became identified with its interests. Mr. and Mrs. Oliver Crosby had been Unitarians before their marriage, and she inherited, adopted and exemplified the religious belief. It was said musingly to the writer yesterday, 'I suppose no person living has attended so many services in the Bangor Unitarian Church as Mrs. Barrett.' It is doubtless true, and the word 'living' might as well be omitted from the remark. To any frequent attendant at services there is an unnatural vacancy in the church when in her front pew the strong

fine face of Mrs. Barrett is not seen bent upon the minister and following every thought.

"She worked for the church and its needs as far as she could, and loved it intensely. She was fidelity itself to its interests, its pastors, its doctrines, as she was also fidelity itself to her duties and her friends.

"As for her life of thought, the world's greatest events were her events, the world's philosophy and progress were hers.

"No notice of Mrs. Barrett could be complete without mention of her intimate acquaintance with flowers. In Atkinson her large arbored garden on a height was celebrated, and on Third street in Bangor, and in Brewer, her gardens were the criterions for beauty and profusion of bloom. She knew the traits and character of each floral child; she knew also its needs and necessities, and was a flower doctor as well.

"In the spring of 1905 she had an illness, from which she recovered sufficiently to be taken to Machiasport, where was the summer home of one of her grandchildren. There for several years the family had been accustomed to meet. In the old, beautifully situated country house came together the great-grandmother, the intermediate generations, and the great-grandchildren.

"Mrs. Barrett was never able to return. Under the devoted care of her daughter, Mrs. Powers, she slowly passed away. Her last illness was a long sleep with waking intervals, and very little suffering. In these intervals her mind was all itself—perfectly clear and controlling. She knew she was facing death, and being able to speak but little, she chose each word with the judicious care that marked her whole life; the care to do the right thing in the right way.

"The worn frame died of failure of the heart February 14, 1906; but she, leaving hosts of friends behind, goes on to even greater hosts of friends before."

Harriet, the surviving child of Aunt Cornelia, lives at Machiasport, Maine, with her two married daughters. She was married first to Jules Golay and later to J. W. Powers. Antoinette Golay, a stepdaughter, and Cornelia Golay, married to Frank Benedict of Boston, and Juliette Golay, a graduate of Vassar and a successful teacher of Greek and Latin, first in Tacoma, Wash., and later in Knoxville, Tenn., are the surviving children.

BOSTON PUBLIC LIBRARY

Henrietta C Ingersoll

1814-1893

HENRIETTA CROSBY INGERSOLL

HENRIETTA CROSBY INGERSOLL, the fifth child, was born in Dover, N. H., November 27, 1814. She was married to George Ingersoll, of Bangor, an able lawyer, who at one time was attorney general for Maine.

Aunt Henrietta was a highly educated lady, strong and decided in her opinions, especially on all political questions, in which she took great interest.

Living at the national capital for many years before her death, she was in the atmosphere of the great questions before Congress, and she had the personal acquaintance of a goodly number of Senators and Representatives. At her Washington home not infrequently members of the Senate and House would call to have a talk, if not a discussion, with "Mrs. Ingersoll" upon some certain matters or pending bill, getting her views upon the subject, which congressional members valued and respected.

She was a woman of influence. It was her habit to make public questions her own, giving them all the study and thought required, and then, with strong feelings of assurance that she had mastered the subject, she felt confident in her own ability to reason out any obscure point.

She was in communication at times with such men as George William Curtis, James G. Blaine, Horace Greeley and others; and there are letters in existence now from these and other men to her which would give pride to the most ambitious.

For a woman she had a potent hand in government matters. She espoused the cause of Mrs. Maybrick, the woman so unfortunately incarcerated in an English pris-

on—thinking her innocent of the crime of poisoning her husband—and helped to create public opinion in her favor.

She was well abreast of the times in new discoveries and inventions, and would investigate and endeavor to sift the wheat from the chaff.

Her husband, George W. Ingersoll, was from the same branch as the late Robert G. Ingersoll.

There were three children—Edward Chase, Alice C. and Frances H. Edward was a prominent lawyer of Washington, D. C., able and learned, the author of some legal texts books. He died in the eighties. Clara Knode Ingersoll, his wife, from Hagerstown, Md., was a popular woman, loved by everybody. After her husband's death she held a position in the pension office for many years. They had one daughter, Heloise, a most charming and lovable young woman, now happily married and has one child.

Alice C. Ingersoll, the oldest daughter, was a beautiful woman, tall and stately. She married Daniel H. Chamberlain, who was at one time Governor of South Carolina. Later he followed the profession of law in New York city, handling large and important cases. He filled many positions of great responsibility in acting as receiver of certain railroads and corporations during the hard times in the nineties. A volume of great interest might be written of his life. In fact, a large volume has been written of him and his administration in South Carolina during the exciting times of President Hayes' administration.

Henry Chamberlain was truly a great man, remarkably honest and fearless. In politics he never swerved from what he believed to be his whole duty, and made no excuses that such a matter or thing was "political." His worst enemies in South Carolina lived to see the day that they acknowledged many of their mistakes. One persist-

ent enemy admitted that Gov. Chamberlain was right, and in a frank and manly manner wrote openly to that effect before he died.

From my own personal acquaintance with Henry Chamberlain I do not hesitate to say that he was one of the ablest and best men I ever had the honor of meeting. He was a profound lawyer, a great reader and thinker, and a remarkably able speaker and writer; a man of large heart, proper dignity, and possessing the kindest of natures, which, on the whole, made him a lovable character of the highest grade.

Frances H. Ingersoll (Fannie) resides in Washington, leading a very philosophical life. She is very accomplished in her work, holding an important government position at the national capital.

Josiah Crosby was the youngest child of Harriet and Oliver Crosby, but of his history later.

I would not think of closing this history of my grandfather's family without mentioning the Hutchinsons, of Atkinson, who have always seemed the same as blood relations to the Crosby families.

In the times of which we have been writing there lived in grandfather's family, and by him adopted, a bright and active girl, of fine character, then known as Frances Sawyer. We well remember her mother, Grandmother Sawyer, a very sweet old lady, who occasionally visited the family in Dexter.

Frances (or Aunt Frances, as she was known to the second generation of Crosbys) married Sumner Hutchinson, a farmer, and who at one time represented his district

in the State Legislature. They both died several years ago.

They had six children, five boys and one girl—Crosby, Joseph, Charles, Chesman, Willie and Lizzie. The only daughter, Lizzie, a dear sweet girl, married, but is now deceased. Willie died when a small boy. Joseph is in business somewhere in Maine. Chesman is a successful physician in Massachusetts. Charlie is one of the leading men of Dexter. He married Alice Buxton, a schoolmate of the writer and a friend of the family. Crosby Hutchinson carries on the old place in Atkinson. He married Mary Ford, and together they keep up the hospitality of the old place.

This farm is only across the fields from the old Crosby place. Making a stone wall and a fence, you get to either place. A very pleasant visit made by a party of six in the summer of 1909 will never be forgotten, and a later visit in 1911.

Crosby and Mary Hutchinson have a married daughter living in Conova, South Dakota, Frances Mary, who is married to Fred R. Snow, and they are blessed with a sweet little girl, Helen Josephine Snow. A son, Fred Eugene, lives at home and efficiently handles in that locality Uncle Sam's mail matter.

BOSTON PUBLIC LIBRARY

José de Olivart

1816 - 1904

JOSIAH CROSBY'S FAMILY.

JOSIAH CROSBY was born in Dover, N. H., November 24, 1816. He was the youngest son of Oliver and Harriet Crosby, whose history precedes this.

He went with his father to Atkinson, Maine, when about four years of age. He worked during his boyhood upon the farm. When his own boys were young he often told them, by way of stimulation perhaps, that as a boy he worked very hard, a part of his work being boiling potatoes for the hogs, starting the morning as early as five o'clock, which was necessary when attending school, and driving the cows to pasture.

He prepared for college at Foxcroft Academy and by private instruction. His preparation for college was not what he desired, but the late Hon. Abram Sanborn gave him some efficient instruction in the languages, so he succeeded in passing all the required examinations and entered Bowdoin College, graduating from famous "Old Bowdoin" in 1835, with the first five in his class in rank. He was granted the honor of an English oration upon his graduation.

He roomed in old Winthrop Hall, having the late Ex-Governor Alonzo Garcelon, of Lewiston, Maine, for a room-mate. The name of "J. Crosby" is yet to be found cut in a window stone in his room, if the historic old structure is still standing. He was a member of the Phi Beta Kappa Society.

In his time the late Poet Longfellow was the professor of Latin and Greek to whom he made those recitations. Among his classmates was a Mr. Prentiss, a prominent

clergyman of Massachusetts; Mr. Poor, the author of Poor's Railway Manual; Mr. Taney, for many years editor of the Brunswick Telegraph, of Brunswick, Maine, and Stephen Allen, a well-known Methodist minister, of Maine.

For forty years after his graduation he did not visit his alma mater. At the time Brother Willis entered Bowdoin, father attended commencement, after this long time intervening, and there found the venerable Prof. Packard, who had been a professor there in father's college days; also his classmates, Taney and Allen. Together they had a most delightful reunion, living over again their college days.

Prof. Packard, then past his eightieth year, remembered father and called to mind a number of college reminiscences of their former days.

At the commencement dinner Prof. Packard, being the toastmaster, pleasantly referred to father's presence, and also gave him the toast, "To get up and apologize, or explain, if he could, why he had stayed away forty years." Father, always ready with a response, upon arising said "it was owing to his heathen propensities," and wound up with remarks that were well received.

The following year father was made one of the overseers of the college, which office he held the remainder of his life, and he was usually present at commencements.

In father's college days much attention was paid to oratory, and debating societies were a live and potent factor of a college education. There were healthy rivalries between these societies, and much pride displayed by the students with a desire to excel in this line.

The expense of living at college in those days was a great contrast to the cost nowadays. $1.25 per week was then the ordinary price for table board, and at times and in some places less than $1.00.

Josiah Crosby was admitted to the Piscataquis County Bar in 1838 and commenced practice in Kenduskeag (then Levant). He also practiced for a short time at Exeter, but located permanently at Dexter, Maine, in 1845, where he resided and practiced law for fifty-nine years, being a member of the bar for sixty-six years, continuing in active practice up to the time of his death.

He married Henrietta Hill, of Exeter, February 15, 1844, who died December 29, 1846. Two children, who died in infancy, were born to them.

He married Mary Bradbury Foss, of Dexter, daughter of Simon Foss, February 27, 1849, and to them nine children were born, seven of whom are now living. The girls are Henrietta (Mrs. James Bird), May (Mrs. A. B. Stickney), Annie C., and Clara I. (Mrs. Charles Altenberg). The boys living are Oliver, Simon Percy and Josiah Willis. Charles died in 1897 and Philip Sidney in 1871.

Some years before father's death the Lewiston, Maine, Journal made a very good pen picture of him, and among other things said:

"Mr. Crosby is below medium height, is slender in form, and all his movements have a nervous energy. He walks with a springy, elastic step that belongs to men of twenty-one years. He invariably wears a silk hat, and is usually enveloped in a voluminous cape, hanging from his shoulders in long folds. For many years he has been a striking figure on the streets of Dexter, and appears as vigorous mentally and physically as he did twenty years ago."

The old homestead in Dexter, beautifully located on Zion's Hill, a commodious structure with extensive grounds, is quite a landmark. It was always the pleasure of my parents to keep "open house" for friends, and strangers were also welcome.

A short distance below the beautiful terraces and among the stately elms is the law office, where for more than half a century clients were received, advice given, cases prepared for court, and the practice of law pursued in all its various forms.

The old office in former days would occasionally be the scene of a trial justice case, criminal or civil, and if some that took place there were written up it would be interesting reading. If the old walls could speak they could tell of a vast amount of hard work. Josiah Crosby was a great worker. Besides knowing the facts of a case as represented to him, and the law as well, he would give his most concentrated thought and reason as to how and in what way his case would best impress itself upon the court and jury.

During all my close relations with him, in the same office, during my student days, I never heard him utter or hint by a suggestion or word to a party or witness to modify or change his testimony; but, on the contrary, I have repeatedly heard him frankly advise a client to drop a case or lose a verdict absolutely rather than to attempt to win by questionable methods.

As a lawyer he believed his clients' rights should be protected and nothing left undone in their behalf. He would at times thrust his spear into the hole in his brother lawyer's armor whenever he saw an opportunity and it was to his client's advantage to do so. Lawyers well know that in a legal fray this is the right thing to do.

Father was always accurate and painstaking in his work; and a defect in a legal document or pleading rarely, if ever, escaped his notice. He would raise an objection that appealed to him as important, but would not impair his case by raising trivial objections to details to the sacrifice of the essential points.

"Lawyer Crosby" in the court room was quite a different man than in his home, on the street or in his office. I mean by this that, while his honor and manhood were never forgotten, the gentle, amiable, unassuming man out of court was a big contrast to the advocate in the legal forum.

In court his faculties were aroused in a superlative degree; and, gladiator-like, he was ready for anything—any new fact or legal question that might arise. He had that characteristic quality of quick thought, with wise judgment, so that when opposing counsel changed position or took a new tack he was equal to the occasion.

As another has said of him: "In the court room he was a power. He had the best reputation for being able to drag testimony out of witnesses in an astonishing manner, leaving the most stubborn subject in a state of complete emptiness—puzzled, mortified, enraged and helpless. In the warmth of cross-examination or in the climax of debate, his voice, high-pitched and shrill, pierces the perception of the witnesses and jurymen as effectually as do his incisive arguments.

"In preparing a case he is keen as a briar, anticipating every catch and quirk. At the same time his cold eye is quick to spy out and utilize any flaw in his antagonist's armor. Upon this almost supernatural sharpness in discovering defects in the apparently impregnable, much of his eminent success as a criminal lawyer is founded."

It was these qualities, of which many more could be added, together with his painstaking preparation of cases, that made him so successful in the trial court. In the trial of a case he could not get his mind off the matter in hand from start to finish. During the pendency of a trial he would eat lightly and sleep but little.

He attended courts regularly in Penobscot county, also Piscataquis and Somerset counties, and the United States courts at Bangor and Portland. The county seats he formerly made with a team, in the days before the railways. I can well remember many a cold drive he has taken in winter to Bangor, to Norridgewock (the old county seat of Somerset) and to Dover.

He had a good practice, which he always appreciated, as he had a large family dependent upon him. And he cheerfully gave his clients the best there was in him in professional services, and his charges were always reasonable.

In the corner room in the Blethen House in Dover, which he always occupied, he could be seen burning the "midnight oil" preparing for the next day's battle.

Among some of the noted cases he successfully tried was the arson case, State of Maine vs. Trustam H. Hurd (associated with him being the late Hon. A. M. Robinson), for the burning of a dwelling house in the night time—a crime punishable by death at that time; verdict, "Not guilty." State vs. Mrs. Hall (arson), of Ripley; verdict, "Not guilty." State vs. Chadbournes (murder), of Parkman; verdict, "Guilty." (The elder Chadbourne died in prison and a pardon was secured for the son later). State vs. Dr. Weed, charged with robbing Peter Bennett, of Plymouth, of $30,000; verdict, "Not guilty."

In the Hurd case, above mentioned, a remarkable feature was this: Chief Justice Appleton presided, and it was the very general opinion of lawyers, and not infrequently expressed, that Judge Appleton, in criminal cases, held contrary to the old and well-settled and time-honored rule of the presumption of innocence until guilt was proven; that, when trying criminals, he presumed them guilty

from the first, but if they, with counsel's assistance, could prove themselves innocent, that was a right they had.

In the Hurd case it was evident that the court had much faith in the innocence of the defendant, as his rulings and charge to the jury and general conduct were quite like the impartial trial guaranteed by the constitution to the unfortunate accused. In this case the state was most ably represented by Hon. A. G. Lebroke, county attorney, assisted by the late Henry Hudson, Esq. The case was one of the hardest fights in father's experience, consuming nearly three weeks in the actual trial in the old court house in Dover. So weary and exhausted he became from fighting for his client that his voice failed toward the end of the case, and for a number of days after he could not speak above a whisper.

E. F. Harvey, Esq., a lawyer of Parkman, whom the older inhabitants will remember, was engaged by the defendant to look up certain evidence in this case. Years afterwards—after interest in the case had generally passed away—it was said by some who pretended to know that Harvey did not "look up" so much, as he "made up" certain evidence that was received on the trial.

I make no comments, but will say this: The defendant Hurd sold his farm in Harmony immediately after he was acquitted, and "skipped in the night" and went far into the west with his family, leaving not so much as his post-office address behind. He paid his attorneys nothing for saving his neck from the gallows until years afterwards, when his property was attached in his new sphere by his former defenders and a settlement was effected.

Whether or not, in view of his last-mentioned conduct, it can be inferred that he was guilty of arson I leave to the kind readers of this volume to say.

In 1873 Josiah Crosby was associated with Hon. Josiah Drummond, of Portland, a prominent lawyer of Maine, in the defense of the late Henry Hudson, a lawyer of Guilford, and Charles Foss, then sheriff of Piscataquis county, in the U. S. district court at Portland, on a charge and indictment of resisting a U. S. deputy marshal, a sort of treasonable charge.

Foss was acquitted. Hudson was convicted largely, if not entirely, through the one-sided charge of Judge Fox, who presided, and who scored the defendant Hudson without warrant, and in fact treated him unjustly throughout the case, in the opinion of those who heard it.

Judge Fox seemed to have taken the position that any exceptions to a deputy marshal's actions was an insult to his court.

The judges of our federal courts do not always act with nor in accordance with the symbol of justice that might be expected, although the large majority are very honest and impartial. That these courts are national and not state, and very autocratic, with judges appointed for life, who claim the right to express their opinions to juries (who are that part of the court to determine questions of fact only, free and untrammeled), has a strong tendency to make these courts arbitrary, too independent and monarchical. So the necessity of appointing able lawyers with the best and well-balanced minds is indispensable to the administration of justice.

The above case was much talked about at the time. It was a case bristling with such legal questions that only lawyers understood the points, and the most prominent lawyers who had looked into the case thought the conviction of Lawyer Hudson an outrage, and were not slow in expressing themselves.

In the early seventies Josiah Crosby successfully defended two cases of indictment charging assault—State vs. Jerome Worcester, charged with shooting Frank Ladd, both of Dexter, and State vs. Turner H. Lord, of Ripley, charged with assault with a pitchfork. Worcester was let off with a small fine and Lord was acquitted.

In January, 1878, Arthur Annette, of Dexter, was arrested and taken before Police Judge H. C. Goodnow, of Bangor, on the charge of robbing the safe of the Eastern Express Company at Dexter of $4,000.

At the urgent request of defendant's counsel, Judge Goodnow came to Dexter to hear the case. Mr. Crosby defended him before the judge in the town hall, which was filled to overflowing; the writer taking down the testimony rapidly in long-hand.

This case awakened much interest, and defendant's counsel's argument, made before the magistrate, was published in the Dexter Gazette, February 8, 1878.

Annette was subsequently indicted for compound larceny, but was discharged without a trial, the public almost unanimously believing him innocent.

Simon Walker, of Bangor, a former city marshal, and latterly engaged in detective work, was employed by the express company to ferret out this case. In undertaking this job he at first dressed up in the disguise of a backwoods farmer and visited Annette, who was still working at his trade as a cabinetmaker in the shop of E. M. Tibbetts, who was also the agent of the express company which was robbed. But Walker was so persistent in his talk, asking so many questions, and so ambitious to make a "record," that he gave away his business; and, after getting no satisfaction in this disguise, he attempted to bulldoze Annette, telling of the many thousand arrests he

had made, and of the sacred and also disreputable places in which he had made search for valuables, etc.

R. O. Robbins, who will be well remembered, was the editor of the Dexter Gazette, and later the Eastern State, and he "paid his respects" to "Sime" Walker in no unmistakable language through the columns of his paper, much to the approval of the public.

While Walker was used to criticism, he keenly felt Robbins' strictures, and gave Dexter a wide berth afterwards.

When the case against Annette was nolled Walker expressed some indignation. He lived but a few years after, and some said this case was the bane of the latter part of his life.

That same winter, on February 22, 1878, John Wilson Barron, the treasurer of the Dexter Savings Bank, was found handcuffed, gagged and thrown into the bank's vault, and the bank robbed. He was found in the early evening in an unconscious condition, and, though relieved and cared for as well as possible, died the following day.

Great excitement prevailed throughout all New England, and even New York papers and newspapers west of the Mississippi gave much attention to the case.

At first the bank was supposed to have been robbed and Mr. Barron murdered defending the funds of the bank. A reward was offered for the capture of the supposed criminals and detectives were employed. The case was being talked about far and near, and nothing but the fact of murder was thought of or talked about for several months. But after the heat of excitement had subsided, and the more logical detectives and men of thought and sagacity had taken up the examination of the case as to the facts in a systematic way, and Treasurer Barron's books and other patent facts were brought to light, a

marked change of opinion took place in the community, especially by those who were looking for the truth as to how Mr. Barron came to his death.

Some ten years after this tragedy, one Charles Stain, a young man, and one Cromwell, an elderly man, were charged with the murder of Barron, indicted, and a verdict of "guilty" was rendered against them.

The testimony in the case, especially of the Dexter witnesses, who swore to the identification of Stain and Cromwell, and seeing them in Dexter February 22, 1878 (ten years before the trial), was as absurd as it was humorous to a logical mind. Dexter at this time was a town of more than three thousand inhabitants. Its streets usually presented a busy appearance, and it was no uncommon thing to see five or six or eight or ten traveling men, strangers to the public, on the streets, and other strangers passing through the town. Yet some eight or ten witnesses gave vent to their remarkable powers of identification and said they "saw" Stain and Cromwell the day of the tragedy in Dexter.

Chief Justice John A. Peters presided at the trial. Judge Peters was a man of high judicial standing in the Maine Supreme Judicial Court, and it must be admitted that he was generally fair and eminently impartial in the trial of a lawsuit.

In the trial of these two men, although they had no previous record of a criminal nature (unless Stain, who some said had been detected in robbing a hen roost some years before), Judge Peters seemed to spot them as the men who had murdered Barron. Either because of his bias for the memory of Mr. Barron, or his prejudice against Stain and Cromwell, or that the public demanded the conviction of some one for Barron's murder, or for some

reason not disclosed, he seemed to think it necessary that a verdict of conviction should be brought about.

Space in this volume does not permit a detailed account of even some of the features of this trial, although I could give them with ease. The admission of the "B. C. Sanborn" document after the close of the evidence and after the argument of counsel, an important matter, was something unprecedented in the history of criminal cases.

Stain and Cromwell were defended by the late Louis Barker and Attorney Gillen, of Bangor. The verdict was "guilty" and a new trial was refused upon an appeal; but later Stain and Cromwell were both pardoned, efficient work to this end being done by Louis Barker's son, an able lawyer of the third generation of Barkers and now practicing in Bangor.

Mr. Crosby was counsel for the Dexter & Newport Railroad Company from its organization in 1867 until his death. He took great interest in forwarding the enterprise, making many speeches to the farmers, endeavoring to make them believe the stock would pay them annually a dividend of six per cent, which has proved to be correct.

Mr. Crosby was also a director of the First National Bank of Dexter and generally its attorney, and also attorney for the Dexter Savings Bank.

Lawyer Crosby's practice was large and successful upon the civil side of the court, in law and equity. During the last twenty-one years of his practice he was greatly relieved and assisted by his son J. Willis Crosby, who became his partner and has since succeeded to his business, and who is held in high respect.

The most friendly relations existed between Josiah Crosby and the members of the bench and bar. He was well qualified to sit upon the bench as a judge of the supreme judicial court, but never made an effort in that di-

rection, although his name was mentioned for a judgeship by competent and influential men at different times.

Early in life a judgeship or a seat in Congress would have been agreeable to him, but as years passed by and he became in more comfortable circumstances, and his children liberally educated, he was indifferent to a position or office of any kind.

In his law practice he was often associated with legal brethren in important cases and with whom he took the part wherein he could be most useful, bending his energies towards good results rather than for the glory or emoluments of the case.

In politics he was prominent, but in no sense could he be called a politician as the term is understood nowadays.

He was a Whig until the Republican party came into existence, of which he was one of the original, and had a hand in the making of this popular party. He stood by his party until the early eighties, when he differed with its leaders upon the high protective policy and what seemed to him a strong leaning towards the trusts and those who had accumulated large wealth, and injuring the people at large who were the consumers and paid for these luxuries.

From this time he joined the Democratic ranks. As to whether he acted wisely or otherwise, I shall not attempt to say or express an opinion, but will unhesitatingly assert that his change in politics was not on account of office nor because he was personally disgruntled.

By this time he had liberally educated nearly all of his children, which had been the ambition of his life. He was enjoying a good law practice and in comfortable circumstances, and had no time or liking for many of the modern political methods used in getting office.

In 1856, 1863 and 1865 he was a member of the House of Representatives of Maine, and in 1867-8 he was Senator

from Penobscot county, and was elected president of the Senate in 1868, being opposed in his candidacy for the office by Nelson Dingley and Frederick Robie, both of whom were subsequently elected Governors of the state.

He took a conspicuous part in important legislation and made many effective speeches. In 1857 he made an effective speech in the House in opposition to the bill to create an additional judge of the supreme judicial court, the purpose of the bill being to restore Judge Davis.

In 1863, aided materially by Hon. Daniel Elliott, of Brunswick, then in the Senate, he introduced and carried through a bill to reduce the salary of land agent of the state, after an arduous struggle. The report of the committee, drawn by him and signed by Mr. Elliott and himself, was published.

In 1865 he made a speech in opposition to the report of the committee on elections, ejecting Mr. Jordan, of Brunswick, from his seat, which was published in the Kenebec Journal and copied into the Maine Democrat.

Jordan was a Democrat, but, in Mr. Crosby's judgment, clearly entitled to his seat in the House. This was a time when partisanship ran high. But he made a fearless fight for what he considered right and justice, and even members of his own party agreed with him, if they did not vote with him.

Referring to the speech made in behalf of Jordan, Judge Peters, of the supreme court, said: "That was a splendid effort of Crosby's," and it put him in especially high standing in the state with the most high-minded and thoughtful citizens. And in those days it was greatly to a man's credit to rise above his party upon such a hotly contested matter as a member's seat.

In 1867 he made a speech on a resolve to amend the state constitution so as to grant state aid to railroads,

which was published in the Kenebec Journal and copied into the Belfast Progressive Age, and subsequently, by request, published in pamphlet form.

In 1870, when not a member, he made a speech before the committee on railroads, in the presence of most members of the Legislature, in opposition to consolidation of railroads, which, by request, was written out and published in the Kenebec Journal. This speech attracted much attention, and, in the minds of some, it had the credit of defeating the bill.

During Mr. Crosby's legislative career he was associated with Eugene Hale, Wm. P. Frye, Nelson Dingley and other prominent men who afterwards had national reputations—Mr. Frye a U. S. Senator, Mr. Hale also a U. S. Senator.

When these men were in the state Legislature Josiah Crosby ranked favorably with any of them in ability and influence. His standing in the House and Senate was recognized among the highest. Had he followed the example of his colleagues and made politics his business, what he might have accomplished, and what name he might have made for himself, we are left to conjecture; but it is only fair to presume that he would have made good had he occupied a seat in Congress, or on the state or federal bench, or other high official position.

But, as has been said before, he did not enjoy politics as a vocation, which must be made a business of in order to be successful. He never regretted that he left all to follow his law practice, which was always of a high class and remunerative, enabling him to live in his beautiful country home with quiet and happy surroundings, which he much preferred to city life.

Without solicitation Mr. Crosby was nominated as Democratic candidate for Congress in 1890, from the

Fourth Congressional District. He did not look for victory, and spent the campaign period in Minnesota and Colorado, as he informed the convention he should do when he was nominated.

He had no objection to being called a "mugwump," a political name at that time which will be remembered.

Father was one of the happiest men in his family. His children well knew that they could learn from him. It was while carrying on conversations with members of his family and friends that some of the resources of his mind were most noticeable. He would not be a stranger when invited into any new field of knowledge, and as to what had been accomplished in the literary world he was at home in discussing.

The late wonderful and mysterious "radium" he was reading about during the last months of his life and talking about its merits. He was a great reader, and the books he especially liked were read over and over again. He was a great admirer of the literature of the Bible—of some portions of it beyond all other books—although not a religious man in the common acceptance of the term. He thought the parable of the Prodigal Son unsurpassed for beauty and instruction, and the plea of Judah for Benjamin of unequalled pathos. Paul's speech before King Agrippa and the Sermon on the Mount were greatly admired, he committing the latter to memory when a boy. He read the Apocalypse twenty times for its poetry alone. He did not, however, believe in the inspiration of the Bible, nor in the infallibility of the Pope nor of anything else human.

His familiarity with Shakespeare's writings was remarkable. He could make long quotations from the plays he especially liked, and it was an obscure passage indeed that he could not locate readily.

His habits were abstemious, but he preferred high license and local option to prohibition. He enjoyed his after-dinner smoke with a clay pipe, which soon became well colored; and if an accident happened to one of his black clays he felt for a time as though he had lost a friend. He indulged in tobacco in this way for more than sixty-five years with possibly an interim of a few months once or twice during that time; and it is fair to say that smoking did not shorten his days, as he was in his eighty-eighth year when he died.

He thought cider a blessing to the human race, notwithstanding its occasional abuse. His strongest beverages were cider, slightly fermented, and mother's spruce beer when it "popped" well. He was partial to coffee when it had the good aroma.

His habit of bathing in cold water out of doors every morning, summer and winter, or jumping into the newly-fallen snow as a substitute, might be called his eccentricity; but he prized the daily habit and considered it a means of preventing fevers and thought it gave him the health and vigor which he enjoyed.

Mr. Crosby traveled much in his own country, and in 1887 visited many parts of Europe.

In one respect, that of being town meeting moderator, he held the state record. From 1857 to 1887 he was continually Dexter's town meeting moderator, and after his trip abroad he was again elected several times.

When he became a member of Maine's Historical Society in 1868 he tersely said, inter alia res: "I have been a Unitarian in religion, of temperate habits, fairly industrious, but not so excessively industrious as to endanger my life, as too many men, especially Yankees, do; * * * and now, at the age of sixty-two, I feel nearly as young as ever. My family is a source of measureless happiness to

me, far beyond the dreams of wealth. Upon the whole, I have little inclination to find fault with the world."

The Gulf Stream of youth ran far into his life, and what he said at the age of sixty-two he could truthfully repeat up to the time of his last sickness, of about one month's duration, in 1904. During this last sickness he was conscious for the first two weeks. It commenced with a troublesome cold, followed by a cough and stomach trouble and general "breaking down." In an unconscious state, with short intervals of lucidness, he spent the last ten days of his life, talking to members of his family a little in more or less broken sentences, or relating some acts of his own busy life, until he peacefully passed away May 5, 1904. Brother Oliver reached home before he died, and we copy his beautiful and pathetic letter, written from Dexter, to his brothers and sisters:

Dexter, Maine, Sunday Morning, May 8, 1904.

My Dear Brothers and Sisters:

This is one of the beautiful Sunday mornings in Dexter—a bright sun; a gentle, warm air; the grass is beginning to turn green, and the grand old elms are just beginning to show their foliage. I sit here at father's old table and in his old chair, surrounded by hundreds of books, papers and desk articles used by him for half a century. Letters and papers covered with his familiar handwriting surround me; even the waste-paper basket is partially filled with scraps covered with his memorandums just as he left them. The whole room seems filled with his memory and seems to inspire thoughts which I wish I could convey to my distant brothers and sisters. Silence prevails, save occasional peals of the familiar church bells. The looms in the factory today are silent, and the rush of

water over the mill-dam is not heard. Glancing through the window, I see the scene viewed by our father for years —the counting room, the glassy surface of the tannery pond, the Bates House, the stone mill, the buildings on the opposite hill, including the chapel spire, and the bold outlines of Bryant's hill. These were the pictures that met his eyes as he sat at his desk and worked, or thought with his grand brain of law, of the loved members of his family, or reasoned in his own way of the past, the present and the grand future, in which he had an abiding faith. May his faith be fulfilled! And today it is a grand thought to hope, at least, that he may be in the companionship of his first sweetheart, Henrietta, his little boy, Philip, and his grown son, Charles.

The funeral occurred yesterday afternoon between three and four o'clock. At this hour every business house in town locked its doors out of respect to his memory. A special train came from Dover, bringing nearly all the members of the Piscataquis Bar. A large delegation of the Masonic fraternity attended the funeral. The bank directors, of which he was a member, attended in a body. Old friends came from neighboring towns, and a large gathering of neighbors and townsmen made these final services a scene long to be remembered. The floral tributes were beautiful and abundant. An open book made of carnations, with the word "Father" inscribed on one page, was a tribute from his children; a large wreath of ivy and roses from the bank directors; the Masons contributed a floral design of the square and compass; a large wreath of white roses and lilies came from the proprietor of the Penobscot Hotel, Bangor; a great many baskets and bouquets came from individual friends, and resting on the casket was a sheaf of ripe wheat, which was the special wish of mother. Mr. Gould, the Universalist clergy-

man, and Mr. Fisher, the Congregationalist, conducted the services and made addresses reviewing father's useful life, his prominent position in town affairs, his never-ending efforts to educate his family and the promotion of education in the community, his great learning, his broad views on all subjects, his integrity and manly example so manifest in the community for over half a century. Both clergymen spoke with ability and the feeling of personal friendship. Slowly his old friends pass the casket and take a last glance at the familiar face peacefully at rest, his final expression being one of peace and kindness. At last mother and the three children take a final farewell, leaving kisses on the noble forehead. We all wish for the presence of the other children; and, although the final scene would have wrenched your hearts, yet it would have been a pain you would much prefer to suffer. Slowly the carriages fill, and the six bearers—S. Eldridge, S. S. Ireland, C. M. Sawyer, P. J. Abbott, Owen W. Bridges, E. Howard Jones—accompany the hearse to the old cemetery, passing down Zion's Hill and Main street. Mother, May, Willis and Oliver occupy the first carriage. As we pass the old office we notice the black drapery over the door. The same thoughts fill our minds—our father's dust is passing the old scene for the last time. We pass the portals of the old cemetery, through which father had followed the remains of a wife and two sons. Who can say that this last journey was not the least painful to him? First his young wife, taken from him in youthfulness, at a time when the love and sunshine of early manhood is the warmest. Again he follows to this same spot the remains of a beautiful two-year-old boy, an age in which a child lies so closely to a father's heart. Once more, and this time his aged form accompanies his youngest son, just budding into manhood. Our carriage pauses at the fam-

ily lot. The casket rests upon the open grave, which is lined with evergreens. The floral tributes are arranged about and upon the casket. The bearers stand with uncovered heads, waiting to perform the last act. We pass on and involuntarily look back. His six old friends, the bearers, are in the act of committing to mother earth all that remains, save memory, of Josiah Crosby, the able lawyer, the scholar, the Grand Old Man, and our beloved father. His life has been one of devotion and sacrifice to our mother and us children. Eighty-seven years was he here. Who can point to a better life, a more successful life, or a more peaceful end? Farewell, dear father! May the belief you have always cherished come true—may we meet again!

Your loving brother,

Oliver Crosby.

FAC-SIMILE OF LETTER WRITTEN BY JOSIAH CROSBY

JOSIAH CROSBY,
NOTARY PUBLIC.

J. W. CROSBY,
NOTARY PUBLIC.
COLLECTIONS A SPECIALTY

OFFICE OF

CROSBY & CROSBY,

COUNSELLORS AND ATTORNEYS AT LAW,

REFERENCES (BY PERMISSION)
FIRST NATIONAL BANK OF DEXTER.
DEXTER SAVINGS BANK.

Dexter, Maine, March 30. 1904

Dear Ollie

Your letter of 28th inst recd. also the "Arguments" on Congressional. I have read very carefully your remarks with much interest as whatever the result, you certainly appear well in the discussion. I am certainly pleased that you had the opportunity & availed yourself of it. I should not think the bill could become a law without some amendment —

We have just had an interesting Town meeting 1 1/2 days — think I never saw so many there at any previous Town Meeting. I have sent you Town Report of 1903 — "Water Works" entered into the discussion. I was not employed as counsel — and the man whom they did employ has made one great blunder at least in

particulars more. It was very strange that the Selectmen and Water Board should choose to be guided in matter of so much importance 50 or 60 000 by an inexperienced man.

Nothing is much as usual — [illegible] big beating —

By the way I am always interested to know in whatever relates to "Horst & D" in the next time you write me. Tell me how the shares are owned, — how many by each individual, as I remember that an [illegible] by you. Johnson — Wood. Percy. and by Johnson's father — I have the impression that you own a majority of the stock.

Our sleighing is just upon its "last legs".

"Hearst" papers came to me this week —

He is making a big effort —

Just recd a nice picture of Vic — it looks remarkably well. — [illegible] here [illegible] with like Bremat — or Bremen — 60 miles from St Paul —

Love to all

Truly yours [illegible] Crosby

PUBLIC
LIBRARY

Mary B. Crosby

MARY BRADBURY CROSBY

MARY BRADBURY CROSBY, wife of Josiah Crosby, was born in South Berwick, Maine (about fifteen or twenty miles from where her husband was born), March 22, 1834, and moved to Dexter with her parents when about four years of age.

She was the daughter of Simon and Lucinda Foss. Her father commenced the manufacture of woolen goods first at South Berwick; and upon settling in Dexter in the early forties he engaged in the same business, being for a time a copartner in the firm of Amos Abbott & Co. (the first generation of Abbotts that ever made cloth in Dexter).

Later Simon Foss erected the brick mill in Dexter, bearing the name of the Union Mill, and carried on the woolen business in company with Andrew Conant, Obed Foss having an interest in the concern.

Grandfather Foss was the first man in Dexter to cast an abolition vote. He was a frank and outspoken abolitionist, as they usually were, there being a few in each town before the beginning of the Civil War.

The street in Dexter on which grandfather resided was called Liberty street, in honor of the bold stand he made for the liberation of the negro; and the street bears that name now.

Later on, owing to failing health, Simon Foss moved to Tonica, Ill., with grandmother, where they died; and both now sleep in that peaceful cemetery, their graves being well cared for by the surviving children and grandchildren.

These grandparents were people whom any of their descendants may well be proud of. Grandfather was considered one of the solid men of the town, was fairly successful in business, and his word was as good as his bond. His purse was ever open to the calls of charity, and the poor knew that in going to "Uncle Simon," as he was called, they would find a friend and get help.

Grandmother Foss was a woman of great benevolence, a most amiable woman and a devoted mother. There were ten children in their family—six girls and four boys—the only survivor being our dear Aunt Ann, a much loved woman, living in Denver, Colo. She married Dr. J. A. Sewall about fifty years ago, and they have three daughters and one son living. Dr. Sewall is a man who has always taken high rank as an educator and scientist, and is a man of prominence. He is known best for his genuine worth and great ability by his intimate friends. Now, at upwards of eighty years of age, he fills the position of city chemist of the city of Denver.

Dr. and Mrs. Sewall's eldest daughter, Addie, married Rev. Thos. Van Ness, a well-known Unitarian preacher of Brookline, Mass., who for many years has filled the pulpit once occupied by the late celebrated Cotton Mather. Mr. Van Ness is recognized as a man of great mental resources, broad and liberal in all things, and, like Dr. Sewall, has a big heart and is in close touch with his fellow man.

Jennie and Carrie Sewall are teachers in Denver, both highly educated and most charming and entertaining women.

Mary Sewall, named for Mary Bradbury Crosby, a beautiful and lovable daughter, died several years ago.

Stephen, the son, is a well-known business man of Denver; married and has one son, Samuel Sewall.

The most delightful relations always existed between the Sewall and Crosby families, visiting back and forth at frequent intervals for the past fifty years, which added much to the pleasure and enjoyment of both families.

On the Foss side of the family was Aunt Sarah, who married William Copeland. She died many years ago, but her daughter Lizzie (Mrs. Irving Howbert) and another daughter, Rebecca (Mrs. Eugene Wolverton), survive. Cousin Rebecca and family reside at Glenwood Springs, Colo. They have three children—Sarah Foss, Gertie and Eugene, Jr.

Mr. and Mrs. Howbert reside in a beautiful mansion of English architecture, with extensive grounds, in Colorado Springs, Colo. They have a son, William Irving, and a daughter, May. Mr. Howbert is easily recognized as one of the leading men of Colorado, and for integrity, honesty and ability he stands in the front ranks. He is ever ready and willing to help a friend. It can certainly be said of him that he is a man who lives for others.

Mrs. Howbert is held in high esteem. She has the amiable and loving qualities which predominate in the women of the Foss family.

Now, returning more specifically to Mary Bradbury Foss: When a girl she showed great ability as a landscape painter, doing a number of creditable pieces. She was educated in the schools of Dexter and at Foxcroft Academy; married Josiah Crosby when quite young. They had nine children, eight of whom lived to grow up, and seven of whom are still living.

Mother was possessed of a remarkably happy and sympathetic disposition. Her friends were legion, and they were not of one class only. Any form of help that was necessary or asked for met a ready response. The needy neighbor with a new-born babe found willing hands

of assistance. In sickness she would cheerfully aid, and in death render all possible consolation.

In all the toils and cares incident to raising a large family she was cheerful and uncomplaining. And we children well knew that when her burdens were often hard to bear she was the first to forget them, and smilingly and philosophically pursued the journey of life. "She appreciated the brightest and best in everything," as another has said. She was a most devoted mother, and carried that devotion until she passed beyond this earthly sphere and entered the pearly gates of the life beyond.

After the children were able to care for themselves mother again took up the painting in which she excelled as a girl; and, while she never considered her work as high art, she made pictures which her friends appreciated and cherished as the work of a dear friend.

Upon receiving the news of mother's death, Uncle Sewall wrote to Brother Oliver the following beautiful tribute:

Denver, Colo., June 1, '06.

Oliver Crosby, St. Paul, Minn.:

No event in the course of my life has caused me more heartfelt sorrow than the death of your beloved mother. No woman I ever knew possessed so many attributes of lovableness. No wonder the sorrow is great. When I think of Dexter, where I spent many of the happiest days of my life; when I see it now, in my mind's eye, how changed! The shimmer of the light upon the water is made dim and lusterless; the hazy purple of the distant hills, gray and sombre; the morning sunlight is less glorious, and the evening shades are shades indeed; the verdance of the hillsides, the leaves of the grand old elms have lost their charm and seem faded and brown, seen

through the tears that do not flow; the ripple of the stream has taken on a minor key, and the music of the breeze among the leaves is a dirge.

And what has wrought this mighty change? The beauties of nature were heightened and intensified by the reflections that emanated from the personality, the soul, the spirit of your dear mother; and to us, who loved her so tenderly, they departed with her. They were a part of her very self. She went not from us as a beggar. She carried with her such rich stores of love and beauty as to add to the glories of a future world.

Such is my hope, such is my belief. Her life was a constant benediction. I cannot eulogize, I cannot crown, but I can and do lay this brief tribute, humbly, reverently, lovingly at her feet.

God keep us all! Most cordially,
Uncle J. A. Sewall.

Mrs. Crosby was a member of the Ladies' Literary Class of Dexter, which has been kept up and doing efficient work for the past thirty years.

Her Minnesota visit of about eight months the year before she died was greatly enjoyed by her children, who were always only too glad to have her with them as often as possible.

Her work on earth was well done, and we cherish her memory with the tenderest feelings.

We would not pass the name of Foss without briefly mentioning the name of Uncle Obed and Aunt Louisa Foss and their children, cousins and old neighbors.

Uncle Obed and Aunt Louisa lived on a farm on the Ripley road, about three-quarters of a mile from the old Crosby homestead on Zion's Hill in Dexter. Their children were Rhoda, Lucy, Mary and George. The Foss chil-

dren were all self-made, the best of scholars and loyal to duty. Uncle Obed was a man of excellent understanding and a successful farmer. Happy in his home, enjoying a good laugh, and generally getting much out of life.

Aunt Louisa was one of "the salt of the earth;" a friend to everyone, and everyone her friend; always cheerful, given to kind deeds, and making her home a place where friends delighted to come.

Rhoda married Mr. Taylor, now deceased; Lucy married Mr. Mitchell; Mary married Mr. Parkhurst, deceased. It can be truthfully said that the Foss girls dwelt together in Unity, as they all lived in the beautiful little town of this name in Waldo county, Maine, and were happily situated, with much prosperity.

We can personally vouch for the generous hospitality extended by these cousins. Mary, upon the death of her husband, moved to Dexter, where she has since made her home on the old farm, successfully carrying on the old place, and enjoying the pleasant associations. She is especially interested in the welfare of her friends and has many. She takes an active part in the Ladies' Study Class.

Grandmother's maiden name was Conant, a New England family concerning which there is some noted history. Go back one more remove and we find the name Emerson, closely related to the great Ralph Waldo.

The New England Conants are descended from Roger Conant, who went to London in about 1609 and emigrated from there to New England in 1623, probably coming in the ship Ann. He did not remain long at Plymouth, owing to a difference of religious views between himself and the Pilgrim Fathers, they being Separatists and he a Nonconformist or Puritan.

In 1625-26 he had charge of about two hundred persons, a colony for settlement. He was the first Governor of Massachusetts, and after serving for three years a new patent was granted, and under the changes that followed Roger Conant was superseded by John Endicott.

The colony of which he was the head made the first permanent settlement in Massachusetts Territory, and was the germ from which the Massachusetts Bay Colony sprung.

Roger Conant was Governor of St. Ann's Colony, Mass., and, though not universally recognized as the first Governor of Massachusetts, yet he was fairly entitled to that honor, for that colony which he moved to Nawmkeag, now Salem, was the first permanent settlement in Massachusetts Territory, and was the germ from which the Massachusetts Bay Colony sprung, and but for him the colony would have been abandoned.

FAC-SIMILE OF LETTER WRITTEN BY MARY B. CROSBY

good by Cousin
Mothers Love
to Everybody
tell Louise
to write me
and tell me
how Mr Paine
is prospering

Dexter Mar 5th 1906

Dearest Ollie,

Your good letter came to day, so will be prompt to answer, Yes dear old aunt Cornelia hass "crossed the bar", a good woman — a fine Obituary was in the papers — Sent one to Etta and Percy & May — and if I can get another will send one to you. hope I may have half as good record as she has left. Willis & Fannie went to Bangor at funeral. I didnt feel equal to it. a nice letter from May and Annie from Dallas, they are having a fine time May thinks she will stay about two weeks. I told her to stay a Month. Stickney is busy so dont need her. and she enjoys the change. Yes old March has — surely come in like a Lyon, so we may soon expect the Lamb; suppose you are preparing for Spring flowers. I have lots a geraniums budded that looks cheerful then. My Hayden brings me pinks or something else pretty a breath from you and Lizzie we enjoy them greatly. you ought to see Willis big wood pile that the boys are working up Harrold gets so many jobs to play in band & Orchestra he is at home this winter hoping to enter the U M in the Fall —

Clarance is to day at Eldridge shop working at 10 cet an hour; he reminds me of Percy when he used to get up early to work in the Mill. well You think a great deal of Your dear Father Yes I think he was the flower of the family, and some of my folks used to say I was the flower of our family, so put the two flowers — together we ought to have very yes extra — Children, and how proud Father was of — his family, he would so often say "Where is the family in Dexter smarter than mine."

I am taking Pabst Malt, and it is really doing me good. I get it by the doz bottles shall keep on through the spring. You know You spoke of it when I was with You but I only tried it a few times -

Dr Thatcher says it is the best thing I can take Well now You are all coming to the Sands sure this summer, sister thinks she and Jennie will start Last the first of May, suppose she will visit Addie first before coming to Dexter then we go to Sands together dont think I shall care to stay there long, for my own home is so lovely. You want to visit Dexter after or before just as You like, Now if You could bring that Auto it would be fine but dont bankrupt Your self to do it. we have public Carriages to go anywhere we want to, and we will have a good old fashioned time. I have the little — wash-basin they washed You in when You was born I never thought of it until the other day it was painted green on the outside.

Henrietta Hill Crosby Blaisdell Bird.

HENRIETTA HILL CROSBY

HENRIETTA HILL CROSBY, the oldest daughter of Josiah and Mary B. Crosby, was born in Dexter, Maine, February 18, 1850. She received her education at Antioch College, Yellow Springs, Ohio. She adored her father and loved old people generally. She had many good friends.

Etta was fond of leading and had a knack of story-telling. She made the children familiar with Dickens.

In 1871 Etta married H. M. Blaisdell, of Otis, Maine, and went to live in Fairmont, Minnesota, where Mr. Blaisdell practiced law.

Mr. Blaisdell served through the whole Civil War. He was a long time prisoner in Libby Prison, also in two other prisons. He had the rank of first lieutenant; was a member of the Loyal Legion. He was a correct and painstaking lawyer and business man; conservative in the value of real estate, in the purchase of which he had much experience in southern Minnesota. Mr. Blaisdell was very fond of books; and picking up old and rare volumes, as well as other souvenirs, was his delight. He had one of the best private libraries in his section of the state. He died of heart disease in 1902. He was shot in the leg at the Battle of Bull Run, and his health was otherwise undermined by his army experience.

Their children are Josiah Crosby Blaisdell, born Sept. 30, 1872; Alfred, born Oct. 29, 1875; Arthur Moro, born Nov. 28, 1882; all born in Fairmont, Minn.

Josiah is a prosperous banker; Alfred and Arthur are successful lawyers.

All are married and live in Minot, N. D. Alfred has been Secretary of State of North Dakota two terms.

The subject of this sketch later married James Bird, and resides in Anacortes, Washington.

Mr. Bird served in the Civil War from 1862 till the end of the war. He marched with Sherman down to the sea, and in the Battle of Gettysburg was one of the three officers who escaped capture, and, quoting from the Record, "bore off the state colors of the One Hundred and Fifty-Fourth New York." He held the rank of second lieutenant. He is now retired from business and is enjoying a hale and hearty old age.

BOSTON
PUBLIC

May Crosby Stickney

MAY CROSBY

MAY CROSBY was born in Dexter, Maine, May 1, 1852; named for the month of her birth. She was also educated at Antioch College. She afterwards taught in the High School of Dexter, and later and for a number of years ably filled an important position in the department of the Controller of Currency at the National Capital.

While residing in Washington she made her home with the Ingersoll family and enjoyed the companionship of Fannie Crosby and other cousins who were also in the employ of the government, and had the pleasure of Washington life.

Some years later, after resigning her position there, she lived in the home of Cousin Henry Chamberlain at Morris Heights, N. Y. Subsequently she became interested in and was teacher in the Indian School on the Crow Reservation, situated on the Little Big Horn river, at Little Big Horn, Montana, where she did efficient work in the education of Indian children, which was more a work of love and interest than of compensation. It was laudable work, and she enjoyed the consciousness of helping a just cause.

After continuing in this sphere for some three years, helping the new institution to get a good start and well upon its feet, she returned to the old home in Dexter, being somewhat worn and reduced in health from the arduous duties at this school.

A few years later, January 7, 1901, she was married to Alpheus B. Stickney, of St. Paul, Minn., president of the Chicago Great Western Railroad, and now resides in their palatial Summit Avenue home in St. Paul.

Mr. Stickney was born in Maine and spent his early boyhood days there, and was a law student in Josiah Crosby's office in the early sixties. He was the son of Daniel Stickney, a well known newspaper editor of Aroostook county.

Mr. Stickney's reputation as a railroad man and as a public-spirited citizen is too well known to need comment, and now, at the age of seventy-two, he is active and vigorous, getting much out of life. He is especially devoted to his children and grandchildren.

Mrs. Stickney is a woman of much character, amiable and of a very happy disposition, kind and benevolent; is especially devoted to her relations and friends.

(It is something of a coincidence that Alpheus Beede Stickney, of the eighth generation of Stickneys, married, in 1901, May Crosby, a great-granddaughter of Rachel Stickney.)

PUBLIC
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Obier Crosby

OLIVER CROSBY

OLIVER CROSBY, the oldest son of Josiah and Mary B. Crosby, was born at Dexter, Maine, January 29, 1856. The first two children being girls, the advent of a boy was much welcomed. Mother occasionally related father's happiness over the advent of this first son.

At an early age Oliver showed a strong inclination for mechanics. He instinctively knew the use of carpenter's tools, in which he was much encouraged by his father, who from time to time bought him the common tools used in carpentering. These tools he soon became proficient in using, making simple pieces of furniture and articles for amusement about the home. He built dams where there was running water, making water-wheels to run pulleys and tin buzz-saws, much to the delight of the boys in the neighborhood. The common over-shot wheel, with simple paddles, led up to experiments in a simple form of turbine wheels, the idea being suggested by turbine wheels used in the privileges about the town.

Sawing ornamental wall-brackets with a jig-saw of his own construction occupied much of his leisure time.

On account of the scarcity of water power and the great desire for power for operating his little shop in the barn, it occurred to him to construct a large-size windmill on the barn. The mill was a crude affair and on account of its crudeness the mill did not develop sufficient power to carry out his ideas, but without doubt he gained much amusement and useful information from the experiment.

As a small boy of ten or twelve years of age he often surprised full-fledged mechanics with his knowledge of the use of tools. Journeymen at the bench allowed him to use

their tools after once seeing how well he knew their use and could handle them without dulling their edges, this privilege not being usually extended to the average boy.

I recall a cabinetmaker in a nearby shop, who rarely had a good word for anyone and few encouraging words for most boys, once saying "that brother of yours is a natural mechanic," a genuine compliment, considering the source from which it came.

Dexter has a great many dams and water-power privileges, which are used for driving the water-wheels in the mills and factories of the town. It was Oliver's delight to be on intimate acquaintance with all the water powers of the town; he knowing the number of feet of head, the style of water-wheel, the character of the dams, and the methods of conducting power from the dams to the wheels. When one of the woolen factories connected up their steam engine with their water power it was, indeed, a revelation to him.

Building boats and sailing them on the pond was also one of his favorite pastimes, he having constructed with his own hands three sailboats that were considered quite respectable crafts in those days.

Oliver Crosby was educated at the Maine State College, now the University of Maine, graduating from that institution in 1876 as a mechanical engineer.

In entering the institution many of his classmates were undecided in the first two years as to what course they desired to pursue, but I have often heard Oliver state that he went to the institution with a fixed purpose, and never hesitated for a moment in deciding that mechanical engineering was the course he desired to take up.

The facilities for teaching engineering at the State University at that time were very crude. He took his kit of carpenter tools and his jig-saw to the institution, and in

partnership with his old friend, Francis Bacon, fitted up a shop in one of the college buildings. This was the beginning of a workshop for mechanical engineers at the University of Maine.

During college life my brother Oliver, as a pastime, frequently wrote parodies, songs, etc., for the amusement of the college students, the editor of the paper calling upon him at times for articles for the local paper. He was elected the poet of the class, and on graduating, at the Class Day exercises, delivered the class poem.

After graduating in 1876, Oliver spent several months around the old home, repairing the buildings, painting them, building fences and generally fixing up the old place, as the time seemed growing near when he would leave the homestead to take up life in the western country. His father paid him for this work, and he succeeded in saving about seventy-five dollars, which he used in buying transportation to the Centennial Exposition that was being held in Philadelphia. After visiting this place for a week he continued his journey west to St. Paul, Minnesota.

He arrived at St. Paul early in November, 1876, with a very slim pocketbook, the total cash assets being fourteen and one-half dollars—certainly a small capital with which to face the world; but he was fortunate in having an old family friend residing in St. Paul, Mr. A. B. Stickney, who had studied law in our father's office in his younger days, and had before told our father to send his boys to St. Paul when they were ready to go to work.

Oliver found a home in Mr. Stickney's family for nearly two years, and it was certainly appreciated by him. I have often heard him state he felt under lifelong obligations to Mr. and Mrs. Stickney for their kindness to him in his early career, when a home meant so much to a young man.

His first occupation was on the North Wisconsin railroad, scaling timber and keeping books in a lumber camp operated by Elam Greeley. He and Mr. Greeley had a small log cabin of their own, but the meals were all eaten in the lumber camp with the men, and a typical logging camp life was experienced during that winter.

The following spring he returned to St. Paul and secured a position in a small machine shop owned by Robert Depew. His duties in this shop were to keep the books, collect the accounts, deliver machine repairs about town with an old blind horse, sweep up the shop, run the bolt-cutter, and make himself generally useful, and incidentally learn the machinist's trade.

Later on he was employed in the works of the St. Paul Foundry and Manufacturing Company, and the Great Northern Railway shops, where he began work with the night crew. Later he was given a position in the Master Mechanic's Drafting Department, which position he held about two years. During that period he requested and was given permission by the master mechanic to go on the road as a fireman, making the trip from St. Paul to Willmar and return every second day. The round trip to Willmar was considered a two days' job for firemen. The day he did not run on the locomotive he put in at the master mechanic's office, drafting. In this way he secured an excellent education in locomotive work and from time to time he was allowed to handle a locomotive at the terminals, making up the trains, etc.

In the spring of 1878 he built himself a small house of two rooms on Rivoli street. The house being completed, he was married on May 18, 1878, to Elizabeth I. Wood, to whom he had been engaged for several years, and had only waited for an improved financial condition to enable

him to marry. Elizabeth was the oldest daughter of Captain H. L. Wood, of Dexter.

This tiny home of their early days, with its surrounding of trees and terrace garden, is now pleasantly remembered by all of us.

(The writer, when a single man, never forgot or missed his Sunday breakfast of baked beans in this little home on the hill, and his bachelor life was made pleasant by having a brother and sister to visit where he knew he was always welcome.)

In mentioning Sister Elizabeth, one cannot say enough good things. She was considered a very attractive girl at her old Dexter home, where she was popular; and now, at upwards of fifty, she retains much of her former looks and all of her natural sweetness. The great prosperity they have enjoyed has never changed her loving disposition. She has many friends, and is always doing kind and liberal deeds.

At their handsome home with beautiful surroundings, on Lincoln avenue, corner of Avon street, in St. Paul, Minnesota, their many friends are always welcome and royally entertained.

Oliver's hobby outside of business is his flowers, as his garden and flourishing green-house will bear witness; and that he is fond of automobiles, a peek into his garage will be sufficient evidence.

As an automobilist he has shipped his car to Europe several times, where he and his family have toured the countries of Italy, France, Germany and the British Isles.

Their children are Louise Stickney (Mrs. Ernest T. Paine), born May 30, 1881; Frederic, born April 20, 1887, and Ruth, born April 26, 1894.

Louise was married to Ernest Trowbridge Paine June 22, 1907, a professor of languages, now one of the faculty

at Brown University, Providence, R. I. Mr. Paine is a man of high scholarly attainments and of genuine worth. They have two children, Arnold, born May 1, 1908, and Elizabeth, born April 13, 1912.

Louise is a most lovable young woman, with many friends, is fine looking, with most beautiful auburn hair. She is an ideal mother. Her home is a happy one.

Frederic Crosby is an efficient member in the force of the American Hoist and Derrick Co., of which his father is the president. He has had an all-around shop experience, has also been through the drafting department, and at this date of writing is employed in their office force.

Frederic was married to Miss Edith Schliek, a beautiful and estimable young girl, of St. Paul, October 26, 1910. They have a charming home on Summit avenue.

Frederic is held in high esteem by all who know him, and has excellent prospects for a successful and happy life.

Ruth, the youngest, graduated at the Loomis School in St. Paul, and in the fall of 1912 entered Smith College at Northampton, Mass. She is no exception to the other children in having a host of friends, among whom she is a natural leader. She adds much to home life.

Oliver has always taken a great interest in the Crosby family genealogy. As a boy, in a joking way, he would often sign his name as Oliver Crosby "IV," he being the fourth of that name in lineal descent.

He has now in his possession many mementoes and not a few heirlooms. The old Crosby clock, handed down from his grandfather, adorns a prominent place in the front hall at his home. This clock was given to him by our father, Josiah, many years before his death, and he also mentioned it in his will. The old clock was imported to this country about the time of the close of the Revolu-

tionary war. A brass plate is now secured to the clock, bearing the names of its former owners.

Our father often quoted to mother in his younger days: "Better is a dinner of herbs where love is, than a stalled ox with hatred;" but in Oliver's home, it can be truthfully said, there is love and the stalled ox also.

Oliver Crosby is the president of the American Hoist and Derrick Co. It would seem proper to say a few words about this prosperous and well thought of company, founded by him in 1882.

Oliver Crosby, Frank J. Johnson and William R. Nickel were the original prime movers in this enterprise, and with their coats off, they erected a small wooden shop, now standing near the corner of Eighth and Robert streets, St. Paul. In this little shop small contracts and repair work were carried on—Oliver being the machinist, bookkeeper and financial man; the other two members being patternmakers by trade.

It cannot be said their business prospered from the start. For a number of years it was extremely uphill work, the proprietors receiving scarcely enough money to pay their very economical family expenses.

Their little shop I well remember, and especially recall the small stationary engine, bolted to a post in the shop that gave them power. A small boy's duty was to feed the boiler, located in a small outer building, and it was amusing to notice how accurately this boy could gauge the water and steam so that the engine would stop exactly at quitting time.

This small establishment, consisting of one machinist and two patternmakers, was the beginning of the large manufacturing establishment that afterwards grew out of it, known as the American Hoist and Derrick Co.

The dollars put into the business in those days were as big as cartwheels, and it was only by the most rigid economy that the few stockholders had them to put in.

In those early days, when the prospects did not seem encouraging, I made an investment in their capital stock, which has been a profitable and great source of satisfaction to me for many years.

The little machine shop prospered in a way; that is to say, they showed enterprise and gained useful experience.

In the fall of 1886 the plant was moved to its present quarters at the south end of the Robert street bridge, where its growth has been remarkable—marvelous, some say.

Its large buildings and yard occupy several acres, with its modern machinery and equipment. It has over seven hundred employes. It is the natural pride of its officers and stockholders.

The American Hoist and Derrick Co. is well known, and recognized as a valuable acquisition to our beloved city of St. Paul.

Matters of public interest have received some portion of Oliver's time during late years. He was one of the members of the City Research Committee, and at the present time is a member of the Charter Commission, he being an active member in obtaining for the city a commission form of government.

Political offices Oliver has never sought, and has consistently refused to become a candidate for any of them.

PUBLIC LIBRARY

S. P. Crosby

SIMON PERCY CROSBY

SIMON PERCY, the second son, was born in Dexter, Maine, September 24, 1858, according to the family record. Our family record, like many others, was not made until after four or five children had been born, and in the case of Simon Percy the day of the week or the day of the month was lost or forgotten, so the exact day upon which I made my appearance was always a debatable question. Some of the older children said it was the twenty-third, others said it was the twenty-fifth, so they compromised on the twenty-fourth. Had my birthday been "lost in the shuffle" doubtless the world would have moved along just the same.

The only natural ability I displayed when young was for mischief. Any capers or tricks played were always laid to me, whether I was guilty or not, but generally I was guilty. It is probably not on the credit side of a boy's life to be mischievous, but it is a whole lot of fun for him, if not for the other fellow. And when forty years after a man can find himself laughing unconsciously at the acts and scenes of his boyhood, he is more glaringly reminded of the truth of the old saying, "Laugh, and the world laughs with you; weep, and you weep alone."

While the other Crosby boys were handy with tools —Oliver especially so, and Willis and Charles fairly good tinkers—I could do nothing in that line. Even Brother Charlie, when a small boy, said, "Perce can't drive a nail straight," and correct he was. Yet I did not lack in activity, and for a boy always had plenty of business on hand.

During the school vacations I went into the mill to work—as a carder at first, and later as a weaver, and also knew something about spinning. In fact, I knew minutely the process and course of a fleece of wool until it came out cloth, and had a strong notion as a boy to learn completely the woolen manufacturing business and to follow it as a vocation.

Our father was always liberal and magnanimous with his children. The money we earned was our own, and he liked to see us have it, and would give us advice as to how to use it. He stimulated his children to be upright and honest in all things, and never be small or mean. "Don't be afraid of doing a little more than your half," he would say, if we were sharing work with another.

Father's purse was always open to the calls of charity, and he gave according to his ability, or even more, and encouraged his children to do likewise.

Trading hens, selling tomato plants and fruit from the garden, I found profitable employment; and many a dollar I picked up. As a boy I was successful in the poultry business, carrying off a number of premiums at town and county fairs; and I have never lost my interest in this hobby, which has many fascinations for me.

I was very proud of my savings bank account as a boy. I could usually lead the other boys in accumulating and saving money, and not infrequently some of the old settlers would ask me how much money I had in the bank, taking an interest in my welfare rather than inquisitiveness.

I entered the Maine State College (now the University of Maine) in the fall of 1875, and graduated in 1879 as Bachelor of Science, taking the course of science and literature in college. I was poorly prepared for college; in

fact, did not fully decide to enter college till a few months before, and had studies to make up after entering.

I was determined to stay, however, after once entering, but it took the first term to get into the saddle of college life. Except in the study of mathematics, to which I did not take kindly, I did good work, especially in the study of English literature, becoming familiar with standard authors and learning how to read the best books and to remember what I had read. In these I did not take a back seat.

I was awarded the prize for the best essay in my junior year, entitled "The Profession of Law," a profession I have wrestled with for over thirty years now, and am not sorry I chose it as a calling.

After graduation I entered at once into my father's law office, and started reading law. Father's business was of a high class, with many important cases, so the minor matters were turned over to me; and in looking after them I could not help getting much practical information. Father did not care for collections, so I waded into this branch of the business, put out my own card as "collector of demands," and was doing a good business in this line in connection with my law reading and studies. I tried justice court cases and occasionally reference cases from the supreme judicial court, and was well remunerated for my work.

It was generally understood that Brother Willis should be father's successor as a lawyer, and, as I had no intention of remaining in the East, in May of 1883 I started out into life for myself. I reached my destination, St. Paul, Minn., May 25, 1883, where I have since resided, except for six years spent in Braham, Minn.—1904 to 1910.

While my success at the bar has been fairly good, it

might have been better if my foresight were as good as my "hindsight." The profession of law in the last thirty years, like many other vocations, has undergone many changes. In the present very remarkable commercial age ability and merit win out only in part. It is the "pull" which brings one into the limelight. A lawyer may demonstrate his ability and yet lose a case, whereas the other lawyer may show no ability and yet win out, and the world applauds the latter and forgets the former.

In my practice I have the pleasure of knowing that my clients have stood by me, and some of them for more than twenty-five years, and in some cases descendants of clients deceased have brought their business, not only knowing they would get a square deal, but that their business would be looked after with promptness and care to the minutest detail.

I will not take the space here to give any synopsis of cases I have been engaged in, but can simply say that now, when four years beyond the fiftieth mile-stone, I have as much business as I care to attend to, and only accept that which is agreeable to me or to aid an old friend.

I now reside in a comfortable home on the bank of the old Mississippi river, about midway between St. Paul and Minneapolis, where our friends are always welcome.

In 1886 I was married to Victoria Robie, of St. Paul. Mrs. Crosby is a woman of education and refinement, and with considerable executive ability. We have one daughter, Alice, married to Mr. Milton Carter. They have a baby daughter, Mary Elizabeth.

Alice Crosby Carter is a young woman of beautiful character, and much loved by all her friends.

Summing up: I feel that I have been used as well as I deserve, and have had more in some ways than I ever expected to have. I have requested to have engraved

upon my tombstone in legible letters, "A Good Time for ..... Years" (the number of years that I have been permitted to remain on this mundane sphere to be inserted).

Right here we would not pass without a few words of the University of Maine, formerly the Maine State College, located at Orono, Maine, from which Oliver and I have the honor to have been among the earlier graduates.

Dr. M. C. Fernald, who is still living at Orono, was the father of this now well-known college, having taken up the work in 1868. When Oliver and I were there one hundred and fifty would cover the total number of students. Now there are something like one thousand.

This institution has performed a most valuable work in giving to young men a liberal and practical education along the line they most need, and at a moderate cost. Since our days there have been added several courses of study, many new professors and instructors, new buildings; in fact, the college has had a phenomenal growth.

We pleasantly recall the fact of Dr. C. F. Allen, with his great character and kind expression, the first regular president, who was succeeded by Dr. Fernald. Any words of eulogy here could scarcely give mention to the great value of Dr. Fernald to this institution of learning. His heart was always in his work, and he was able and efficient in all his undertakings. Every student of this college has the greatest admiration for him and his grand work. To know him is to love him, we all say.

While it is possible I feel a little better acquainted with Dr. Fernald than the general graduate, he is one that the more you see of him the higher regard and love you have for him. May the remaining years of his life be as a serene sunset!

Mrs. Fernald is an estimable woman, and universally loved.

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J. Willis Crosby

JOSIAH WILLIS CROSBY

JOSIAH WILLIS, the third son, and named for his father, was born in Dexter, Maine, May 29, 1862. As a young boy Willis was possessed of a fine physique and good health and remarkable lungs. He was a handy boy about the house, and took to the use of tools. He was a good scholar, and took to books at an early age. He ranked high in school and college, and early in life decided to be a lawyer and succeed his father. He fitted for college in the high school of Dexter and by private instruction. He diligently pursued his Latin and Greek during his vacations, and entered Bowdoin College in the fall of 1878, when sixteen years of age.

In college Willis held his place well in class, and was a member of the Delta Kappa Epsilon, one of the most prominent fraternities of Bowdoin. To be a D. K. E. was something in those days, and it is only right to say that now this fraternity stands high among the college societies of the land.

There is some sentiment about a father's son attending the college he did. Father was at Bowdoin during the days of Profs. Packard, Longfellow and Cleveland. Willis was also there during the time of the venerable Prof. Packard, and also in the days of President Chamberlain, Prof. Carmichael and other noted instructors.

Every college alumnus is proud of his alma mater, and Bowdoin is no exception. The reputation of "Old Bowdoin" is world-wide and too well known for comment, and many, many of her sons have indelibly written their names upon the slippery old pillar of fame. Whenever I

pass through the classical city of Brunswick I am reminded of the venerable college and of her invaluable services to the world.

These were the days when the military drill flourished at Bowdoin. Willis was Captain of the Cadets in his senior year; also led the college band.

Willis graduated from Bowdoin in 1882, at the age of twenty—the youngest man in the class—and at once entered his father's law office and began reading law. The collection business was turned over to him shortly afterwards, which proved remunerative to him also. He was admitted to the Penobscot County Bar a few years later, and then entered into partnership with his father under the firm name of Crosby & Crosby, occupying the old office in Dexter. In November, 1898, he was admitted to the Bar of the United States Court.

This partnership was very successful and very desirable, as Willis relieved his father in his advancing years of much routine work which the practice of law demands. Willis continued the business since his father's death, retaining the firm name. His practice is general and commercial law, which takes much of his time. Like his father, he has represented the leading mercantile agency, R. G. Dun & Co., ever since commencing practice, and stands high with them.

Willis is well known throughout that section of the state, and does business over a wide territory. He knows how to advertise his business, a thing many lawyers do not appreciate the value of.

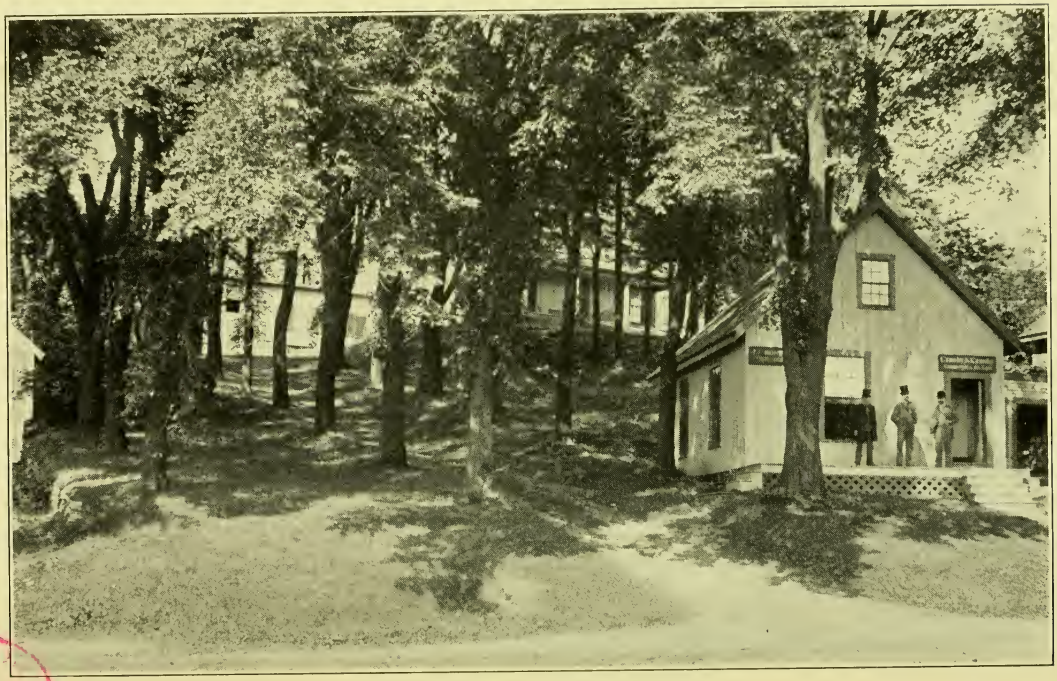
J. Willis Crosby was married to Fannie L. Dearth, August 14, 1884. They have two sons—Harold Josiah, born February 11, 1886, and Clarence H., born May 28, 1894. They reside at the old homestead, which they now own.

Both are good musicians, and take their recreations largely along musical lines. Willis led the "Bowdoin College band" while in Bowdoin, and the Dexter band for a few years afterwards. They have both had charge of the Congregational Church music at home for the past thirty years—Willis as chorister and basso, and Fannie as church organist. The new pipe organ there is largely due to their efforts. They are much interested in the Maine Musical Festival, held every year at Bangor and Portland; always attend and at times have taken parts in the chorus.

Fannie Crosby is a woman of fine character, looked up to and respected by all. She is invariably cheerful and loving, and very attentive to her home. Willis and Fannie are both pillars of the Congregational Church of Dexter, especially active in choir work, and their services are much appreciated in this somewhat historic church, where Grandfather and Grandmother Foss, as well as our own mother, worshiped.

Harold Crosby has shown great ability as a musician, having composed many acceptable things, and has had lucrative employment in bands and orchestras. In following his music Harold is developing his natural ability, and evident success awaits him in the future.

Clarence is a lively young lad, with a well-developed bump of mischief when a small boy. He is liked by his chums and is popular with the young ladies. He will soon graduate from the Dexter High School, and will then enter Bowdoin College. Both boys have good habits and are well thought of.



THE DEXTER HOMESTEAD

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Annie Cornelia Crosby

ANNIE CORNELIA CROSBY

ANNIE CORNELIA CROSBY was born in Dexter, Maine, February 9, 1866, being the sixth child of Josiah and Mary B. Crosby.

"Nan" as a baby was quite puny, her tiny fingers being about the size of knitting needles; but time, in its wonderful achievements, brought health and strength, and, although she was never robust, yet she had fairly good health.

Annie Cornelia attended the Dexter schools; was a good scholar in Latin and other studies. She was a reader of good literature. She showed an inclination for music at an early age, and after taking many terms of lessons at home entered the New England Conservatory of Music in 1883, graduating in 1886. She accepted a position to teach piano in Due West, South Carolina, in 1886-7. She also taught in Sherwood Seminary, Stanton, Virginia, and in the Pennsylvania Normal School, Indiana, Pa.

In the fall of 1889 she returned to the N. E. Conservatory for a post-graduate course, and in the spring of 1890 went to St. Paul, Minn., where she taught and also studied. In 1891 she went to Berlin, Germany, to study voice under Professor Hey and also piano under Dr. Jedliczka. Since that time she has made two other trips to Paris, studying with Moszkowski, who dedicated a piano composition to her.

For some thirteen years Miss Crosby has been engaged at St. Mary's College at Dallas, Texas, as principal instructor in music. It is a pleasant and lucrative position, which

she much enjoys and where she is highly esteemed by the faculty and students.

She spends her summer vacations with relatives in St. Paul, Minn., and in Dexter, Maine.

Miss Annie Crosby is a woman of much character and very competent in her chosen work. She keeps abreast of the times and is an up-to-date teacher. She speaks French fluently. Her friends gladly welcome her whenever she can visit them.

PHILIP SIDNEY CROSBY

PHILIP SIDNEY CROSBY, the fourth son, was born in Dexter, Maine, February 4, 1869, and died July 25, 1870. We sincerely regret that we have no picture of this dear little one to place above this brief biography. We recall him now, more than forty years after his death, with tender feelings and sadness. When this bright baby boy, with his noble head and sweet ways, was called from the fold the family circle was broken for the first time, and none of us remaining will ever forget the keen sorrow we felt when we had to lay him in the ground.

He seemed strong and well until the hot month of July, when cholera infantum seized him, and the most devoted care and nursing was unavailing, and we laid the loving baby boy in the family lot in the old cemetery with tears and sadness. Upon the stone above his little grave are these hopeful words of Longfellow's, selected by father, which well express the sincere feelings of the family:

"Not as a child shall we again behold him;
For in raptures wild in our embrace
We shall again enfold him.
He will not be a child."

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Charles.

CHARLES JAMES FOX CROSBY

CHARLIE was born in Dexter, Maine, December 12, 1871. Father having great fondness for English literature, and especially of the great debaters and statesmen of the English Parliament, named his last two boys for two Englishmen of great note. It will be remembered that Sir Philip Sidney was one of the non-dramatic poets of the Elizabethan age, and exerted a potent influence over the spirit of his time, being a man of great magnanimity and heroic traits. His definition of a gentleman being a man of "high erected thoughts seated in a heart of courtesy."

Charles James Fox had such consummate skill and gigantic ability as a parliamentarian that in his younger days, when a Tory, "he carried the House of Commons against justice, against its immemorial rights, and against his own convictions, and in obedience to a tyrannical sovereign drove Wilkes from his seat to which the electors of Middlesex had chosen him, and installed Lutterell in defiance of law."

While the morals of Fox during his younger days were thought to have been questionable, owing to the bad example of his father, which strongly influenced him, later in life he had so outgrown and thrown off all tendencies to vice that Burke said "his life was exemplary" and not polluted or influenced by any indiscretion of earlier years.

Charles James Fox Crosby, who was named after this great statesman, showed great literary ability. He displayed a liking for music at an early day, and later developed into a fine musician. He played piano and cornet

skillfully, and could pick up almost any instrument and play with considerable ability. He filled several orchestral engagements during vacations.

In 1876, when but a small child, he was taken with his parents to the Centennial Exposition at Philadelphia, at which time he contracted a fever which lasted several weeks, and during which time his life was despaired of. He never quite recovered from that illness, the effects being noticeable, especially in his speech.

Charlie fitted for college in the High School of Dexter and by private tutors, and entered Dartmouth College, graduating in 1895. He was a boy of excellent habits, a faithful student and much liked and respected by the faculty and his mates.

It was Charlie's intention to become a lawyer. He spent one year in his father's office, reading law, and then went to St. Paul, where two of his brothers were already located. For temporary employment he accepted a minor position with the American Hoist and Derrick Company.

Charlie did not look upon the bright side of life. He was not filled with that youthful hope characteristic of the family. Had he remained at home, with the cheer and comfort which his mother, who especially understood him, could have given, his last year might have been happier; but Fate willed it otherwise. He was suddenly taken with the severe and fatal disease, spinal meningitis, and in less than ten hours life was extinct, although all medical aid and nursing were given. He died April 28, 1898.

In such sudden deaths how glaringly we are reminded that we are hardly more than shadows, holding onto a rope of sand—a frail hold, with no certainty of a minute's duration. We are at times almost silenced to see our dear ones pass away, especially the younger ones, to whom life has many possibilities and a future with much in store.

Life and death remain unsolved mysteries. And while the great uncertainty of death is always hovering over us, and irresistible as we all know it to be, it stands us in hand to make each day count. Let us live by the way as we journey through life. Do our part in full to the best of our ability, and with all the light we possess preserve ourselves from sickness.

Father's faith in the immortality of the soul was always strong. Upon the stone above Charlie's grave is engraved the hopeful lines of his old college instructor, Longfellow:

"There is no Death;
What seems so is transition."

Clara Crosby Allenberg.

CLARA INGERSOLL CROSBY

CLARA INGERSOLL CROSBY, the youngest child, was born in Dexter, Maine, March 23, 1878. Clara's babyhood will never be forgotten by the older children. Her demands for being amused kept her mother decidedly busy, and it was her mother's exclusive attention only that would satisfy her. If one of the children was made a substitute, a rebellion arose, and nothing availed until her devoted mother appeased her.

The loyal mother said "Clara was not very well," and, while this was true in her infancy, Clara later developed into a healthy and lovable young girl. She very early showed decided musical ability. When only large enough to climb onto the piano stool she gave evidence of talent, and always with a piece of music before her, she played with more or less effect in her tiny baby way. If anyone laughed the tiny pianist knew what he was laughing at and scolded well the hectoring listener—usually one of her brothers, who were all natural hectors. When, however, mother was called, the hector made himself "scarce" and until the next time gave his youthful sister a brief rest.

Clara attended the High School of Dexter, after which she entered and graduated from the New England Conservatory of Music at Boston. She was an excellent pupil and ranked high, being considered a very brilliant pianist. Her ability represented a large amount of hard work, which is usually the secret of success. She was engaged as a music teacher at St. Mary's College at Dallas, Texas, for four years. Later she went to Fairmont, Minn., for the purpose of teaching music, in which occupation she was

very successful. In June, 1908, she was married to Charles A. Altenberg, of Fairmont, Minn., a well-known optician of that place. They now reside at the old Blaisdell homestead, the "Lowlands."

Mr. Altenberg is a man very proficient in his business and stands high in his community. He is president of the Minnesota State Association of Optometrists and fills the office with credit to himself and satisfaction to the state members.

FAMILY TRAITS AND NOTES.

In writing thus briefly of this branch of the Crosby family I have confined myself to their common individual characteristics. Among the men there have been several lawyers, all of whom have been successful, Josiah Crosby achieving great success as a practitioner in the country town in Maine.

The city lawyer usually has larger and more important cases, but whatever ability he displays is scarcely known or talked about except by the parties directly interested, while often a much smaller case in the country gets into the papers and becomes street talk, in which the successful lawyer is the center of the stage for the time being.

Grandfather, in his later years, and Uncle Oliver were the farmers of the family, and were successful in their line.

There was but one mechanic (Oliver), and he has had remarkable success in every way. He easily leads all the Crosbys we have known.

All the Crosbys believed in liberal educations, and most of them had the privilege of obtaining it, the women as well as the men. Reading the best literature was a regular occupation. The daily news or a few magazines was not sufficient mental food. They delved into the pages of history, biographies, best novels, and generally aimed to become familiar with all the literary gems, ancient and modern.

The Crosbys are also lovers of art. They have traveled much in this and the old countries, and have seen and heard the best, and have profited by their opportunities.

They are free spenders, yet abominate debt. The calls of charity never find deaf ears.

They have never become much interested in military life and but little in politics, and therefore have achieved less notoriety than others who are prominent in these lines.

In religion they are liberal, leaning toward Unitarianism.

Gardening and fruit-raising are their hobbies, with an intense love for their homes and home life.

We never knew of a Crosby being hung, and never knew one charged with any crime. We have no intention of claiming more of the good things than the family is entitled to. But most people hailing from New England are creditable citizens, and the Crosbys are no exception.

Upon my visit to London in 1912 I just missed seeing Sir Thomas Boor Crosby, London's lord mayor. He is in our family ancestry, from the best information I have. We publish the following clipping about him:

"Sir Thomas Boor Crosby, 'knight, doctor of medicine, alderman and turner,' is the present lord mayor of London, having been elected by the 'Liverymen' of the City of London, end of last month, for the term of one year to that high office. There have been plenty of medical mayors, but never before a medieval holder of the chief magistracy of the City of London, a post of such celebrity as well as dignity that the incumbent ranks higher than the cabinet ministers in political importance.

"The fact that no medical man as yet has attained to the office of lord mayor in that great city is not remarkable, in view of the engrossing nature of the profession of medicine, and of the amount of municipal work which

must be performed before a would-be lord becomes eligible even for appointment. Sir Thomas Crosby is a member and late president of the Hunterian Society and a former demonstrator of anatomy at the famous St. Thomas Hospital in London. He has received a number of foreign decorations and was knighted in 1907, the year in which he served as sheriff.

"The name of Crosby is a notable one in the annals of the city of London. It was Sir John Crosby, who was elected sheriff of London in 1471 and knighted the same year, that built the recently demolished Crosby Hall of so many memories. But, as he died in 1475, he enjoyed his sumptuous home only a very short time. After passing into the possession of King Richard III, Crosby Hall was purchased by Sir Bartholomew Read, who kept his mayoral court there in 1501. Its next owner also was a lord mayor, Sir John Bert, elected in 1516."

At the time of father's death and for some time thereafter many kind and sympathetic letters were received; and the Penobscot County Bar, of which he had been a prominent member for sixty-three years, paid just and eloquent tribute to his memory by memorials and appropriate remarks by the bench and bar.

We mention briefly a letter Brother Willis received from Hon. D. D. Stewart, of St. Albans. Father and Brother Stewart, it was generally conceded, were well matched in the legal arena and always friendly. He wrote:

"I shall also be glad to see your father's picture, and hope you may have one for me. There is no way, in my judgment, by which you learn a man's ability, skill and

moral worth so well as when meeting him in controverted suits in court. Your father's ability, learning and skill were at once felt and appreciated by an opposing counsel; his moral worth was appreciated when that counsel saw he would stoop to no underhand ways in the trial of cases, and when, in all contingencies, his word was as good as his bond. I think there was not a day during the last forty years of his life when we were not opposing counsel in Somerset and Penobscot counties."

D. L. Savage, Esq., formerly a prominent member of the Piscataquis County Bar, now engaged in brokerage business in Minneapolis, Minn., wrote me.

"Your father, the Hon. Josiah Crosby, was the peer of the best New England lawyers, both in legal lore and as an advocate. He had the courage of his convictions, and in the trial of causes always showed consummate skill. Yet he was never arbitrary in the examination of witnesses. His business career showed him to be a man of strict integrity, and his neighbors, members of the court and the legal fraternity universally respected him. It affords me pleasure to speak kindly of him."

Shortly before publishing this volume the writer had an especial pleasure in meeting Frank J. Crosby, of Milwaukee, Wis., an elderly man of about eighty years, active as a much younger man—one of the Boston Crosbys. His father, Frederick Crosby, was a sugar refiner in Boston in the early fifties. Many a pleasant day have I spent at the grand and stately old home at No. 52 Allen street in the classical old city.

Our cousin Fred Crosby, the grandson of Frederick and the nephew of Frank J., lived there, and we always enjoyed ourselves in the many attractions of Boston.

Frank J. Crosby was for many years engaged as an official of the C., M. & St. P. Ry. Co., and since his retirement from active business he, with his son Henry A. and wife, live in a very desirable old-style cottage home at 453 Van Buren street in the beautiful city of Milwaukee. Henry A. is engaged in the insurance business and is a very interesting gentleman. His wife is a charming woman of sterling worth.

The first short visit the writer had with these delightful people will always be remembered.

THE FRENCH SPOLIATION CLAIMS.

About twenty years ago quite an unusual incident happened on my grandmother's side of the family. Her father, Stephen Chase, of Portsmouth, N. H., was a shipowner and engaged in the carrying trade. Three vessels, one with cargo, were seized and confiscated by the French in the days of Napoleon, these acts of depredation giving rise to the so-called "French spoliation claims."

It may be remembered that our government received its indemnity from France by arbitration a few years after, but not until many years later and after one or more presidential vetoes, and then after a change of administration, were any of these claims allowed by Uncle Sam, and then only in part. The value of a single vessel was allowed and paid, which inured to the heirs of Stephen Chase, either as heirs or by right of representation. When divided, a small sum was received by each of them.

In the early part of 1911 another bill was passed by Congress for the payment of these claims or some of them.

The propriety of our government paying over this money to whom it belonged was a simple duty, and certainly a wrong for not doing so long before, as will be seen by the following brief facts of these claims, which I have verified by authentic history. These are some of the facts:

In 1831 a treaty had been entered into between the United States, whereby France was to pay 25,000,000 francs as compensation to our countrymen for damages suffered, under the decrees of Berlin, Milan, Ramboullet and Trianon, for vessels burned, sunk or destroyed by

cruisers, and for ships unlawfully captured or condemned for violating decrees which the owners knew nothing about at the time of sailing.

Payment was to be made in six annual installments, but the French Chambers delayed the appropriations from time to time, either intentionally or indifferently, and King Charles, alarmed lest the act of the Chambers should destroy the ancient friendship between France and the United States, expressed to our minister his deep regret for what had taken place, sent a national ship to our country with despatches to the Representative of France, and bade him assure the government and people of the United States that the treaty stipulations should be fulfilled.

President Jackson remained quiet and made no mention of it in his messages to Congress till 1834; then, in his customary manner and in no unmistakable words, "called down" the government of France for its delays, if not repudiation, in such terms that the French denounced his message as "arrogant and blustering."

War was nearly precipitated between these two countries, which had formerly been friends and allies. A discontinuance of diplomatic relations was threatened, and the newspapers of Great Britain were pleased at the prospect of war between the two countries.

When news of the excitement reached Washington and the French Minister gave notice of his recall, Livingston was instructed that unless a bill providing for the payment of the indemnity was presented to the Chambers, or if presented was rejected, a frigate would be sent to Havre to bring him and the legation back to the United States.

Before these instructions reached Paris a bill was introduced in the Chamber of Deputies to pay the three installments then due, but was so amended that payment was

to be conditioned on an expression of regret by the United States.

Against this our Minister, Livingston, protested, denied the right of any government to dictate what the President should say to Congress, asked for his passports, and in June was back in Washington.

So it is plain to be seen that our government was reimbursed and satisfied by France for depredations upon our commerce, the losses being sustained by private owners of vessels.

And, since our government received $5,000,000 and has had the use of it since 1834, amounting to nearly five times as much at simple interest, is it anything more than common justice that those who suffered the losses, or their representatives or lawful heirs, should receive compensation, even if former administrations have been unmindful of common honesty?

What would have been received by the rightful parties to these claims has naturally and necessarily been reduced by attorneys' services, who have been employed to recover the money—the fault of the government.

No tariff or internal revenue is paying these claims. Without using extreme language, we could say that Uncle Sam is only purging himself of embezzlement by turning over the money to whom it belongs.

CORPORAL PUNISHMENT.

A legal argument of Josiah Crosby's before the Supreme Judicial Court of Maine, sitting as the Law Court or Full Bench, in Bangor, in the year 1885, taken from the Eastern Gazette, one of the local papers of Dexter, with prefatory lines by the editor, Mr. R. O. Robbins:

"We publish herewith the argument of Hon. Josiah Crosby, counsel for plaintiff in the case of Eugene E. Patterson vs. R. Wallace Nutter, in support of his exceptions to the rulings and charge of Judge Emery.

"This argument not only has a local interest, but will always hold the attention of the general reader on account of the vigorous stand which is taken upon an important subject."

The plaintiff complains that the said defendant, at said Dexter, on the 30th day of October, 1884, with force and arms in and upon the body of said Eugene E. Patterson, then and there in the peace of said state being, an assault did then make, and him, the said Eugene, did then and there bruise, wound and ill-treat, struck him on the head, jerked him violently out of his seat upon the corner of a desk, wounded him upon the right side, caused swelling in his side and back, and pain and lameness in his spine, and other wrongs and injuries the said defendant then and there did to the said Eugene, against our peace, by means whereof the said Eugene suffered great bodily pain and mental anguish; was made sick, and was from that time to the present unable to labor as he had formerly been accustomed to; has been compelled to expend money, to-wit, five dollars, in physician's bills for attendance upon

him in consequence of the injuries aforesaid, and is still lame and disabled and is likely to continue so for a long time; has been deprived of the use of schooling for two weeks and is likely to be so deprived for many weeks more.

There was evidence tending to show all the facts set forth in plaintiff's declaration were true.

Under the charge of the judge, verdict was rendered for the defendant, and, unless the jury had improperly attempted to take the law into their own hands, no other verdict could have been expected.

It may be that the doctrines laid down by the court are the law of the land at the present time. It is not for me to say otherwise, but simply to argue otherwise.

My position is that, whether such doctrines were or were not the law one hundred or two hundred years ago, they are not the law of the present age, and especially they are not the law of New England or America. The changes which have taken place within the last one hundred or two hundred years, or even within the last fifty years, in everything pertaining to the amelioration of man's condition, and the softening of his heart, are truly wonderful, and not less remarkable in the courts—sometimes by force of statute law and sometimes through the more extended vision, the broader views and enlightened humanity of the judges.

The judges are selected from the people, breathe the same atmosphere and carry to the bench the well-settled opinions of the community from which they are appointed.

There are hundreds and thousands of decisions made in less enlightened times which would nowhere be recognized as a true exposition of the law at the present day, especially in America and more particularly in New England.

And how the times have changed since the triumphs of one party demanded the heads of their opponents; since Catholics and Protestants burnt each other at the stake on account of religious differences; since Burke said, notwithstanding the one hundred and eighty capital offenses on the statute book, he, having no other influence with the administration, could yet have sufficient influence to add another capital offense to the black and murderous catalogue had he so desired; since slavery was tolerated even in England; since the time when Jews were treated as outlaws; when it was thought impossible to maintain discipline in the army and navy without flogging; when the stocks and the pillory were in full tide of popularity, and women were whipped at the cart-tail amid the fiendish exclamations of the mob urging the sheriff to lay the whip on well and make the victims howl; when men of respectable position claimed at any rate the right to beat their wives, and the humane remedy of divorce did not exist; when children were compelled to become chimney-sweeps, and were abused and flogged with unmerciful severity, sometimes even unto death, for not accomplishing an imposed task.

The early history of New England is stained with judicial murder of witches and Quakers, and the persecution of Roger Williams, Ann Hutchinson and all others whose religious opinions were not supposed to be orthodox. Read Hawthorne's Scarlet Letter once more if you wish to revive your impression of the boundless intolerance and severity of those early times.

Macaulay, in his famous chapter III, History of England, writes as follows: "It is pleasing to reflect that the public mind of England has softened while it has ripened, and that we have, in the course of the ages, become not only a wiser but a kinder people. There is scarcely a page

of history or lighter literature of the seventeenth century which does not contain some proof that our ancestors were less humane than their posterity."

The discipline of workshops, of schools, of private families, though not more efficient than at present, were infinitely harsher; masters, well born and bred, were in the habit of beating their servants; pedagogues knew no way of imparting knowledge than by beating their pupils; husbands of decent station were not ashamed to beat their wives.

The implacability of hostile factions was such as we can scarcely conceive. Whigs were disposed to murmur because Stafford was suffered to die without seeing his bowels burnt before his face. Tories reviled and insulted Russell as his coach passed from the Tower to the scaffold in Lincoln's Inn Fields.

A little mercy was shown by the populace to sufferers of an humbler rank. If an offender was put in the pillory it was well if he escaped with his life from the shower of brickbats and paving stones. If he was tied to the cart's-tail the crowd pressed around him, imploring the hangman to give it to the fellow well and make him howl. Gentlemen arranged parties of pleasure to Bridewell on court days for the purpose of seeing the wretched women who beat hemp there whipped. A man pressed to death for refusing to plead, a woman burned for coining, excited less sympathy than is now felt for a galled horse or an over-driven ox.

Nowhere could be found that sensitive and restless compassion which has in our time extended a powerful protection to the factory child, to the Hindoo widow, to the negro slave, which pries into the stores and water-casks of every emigrant ship, which winces at every lash laid on the back of a drunken soldier, which will not suffer

the thief in the hulks to be ill fed or overworked, and which has repeatedly endeavored to save the life even of the murderer.

Another interesting and observant historian, Justin McCarthy, in his "History of Our Own Times," chapter LXVII, writes as follows:

"The whole of that system of legislative reform which is founded on principles of humanity may be said to belong to our own times. Our penal systems have undergone a thorough reform. More than once it seemed as if the reforms were going too far, and as if the tenderness to criminals was likely to prove an encouragement to crime. But, although there has been for this reason little outbursts of reaction every now and then, the growth of the principles of humanity have been steady, and the principle has taken firm and fixed root in our system of penal legislation.

"Flogging in the army and navy may be said to be now wholly abolished, the senseless and barbarous system of imprisonment for debt is abandoned. There is no more transportation of convicts. Care is taken of the lives and health of women and children in all manner of employments. Schools are managed on **system of wise gentleness.** Dotheboys Hall would be an impossible picture even for caricature in these later years. * * *

"We do not think that the survival of the fittest, the doctrine on which our forefathers acted more or less conscientiously in the education of children and the treatment of criminals, will ever again, within any time to which speculation can safely reach, be adopted as a principle of our legislation.

"Much of the healthier and humane spirit prevailing in our social system, in our criminal laws, in the **management of our schools,** in the care of the state for our work-

ing classes, for women and for children, is undoubtedly due to the spread of sound and practical scientific teaching which began to make known everywhere that the recognition of the laws of health will always be found in the end to be a recognition of the laws of morality."

I will add that in these times Abraham would not have driven Hagar and her infant son, "her cradle joy," into the wilderness with a loaf of bread and a bottle of water; Calvin would not have burnt Servetus; Cotton Mather, at the hanging of the witches, would not have exclaimed, "The time of the deliverance of the church has come; yea, the set time has come."

The Jew is classified in the genus homo, has become Mayor of London, has a seat in Parliament and on the Queen's Bench. Religious sects have almost ceased their quarreling. Intolerance has become tolerance. "The Unitarian fiend expel and send his doctrine back to hell" is eliminated from the hymn book. A Roman Catholic has been Governor of Maine; a Jew has been Senator in Congress, and a free-thinker President of the United States.

We hang no man for treason, do not even banish him, but pardon him; and Jefferson Davis celebrates the twenty-fifth anniversary of the Rebellion amid the profound indifference of the people.

Regards for the rights of others have extended even to the brutes, as the many laws to prevent cruelty to animals abundantly testify. Even the ox, the ass, the dog, have rights which their owners are bound to respect.

When all classes of people are receiving the benefit of an advanced civilization and a better understanding of the laws of kindness, the poor, the bond, the free and even the brute, shall a helpless child of immature physique and judgment be the only exception?

The contrast between the character of the laws which peculiarly appertain to humanity, as understood and practiced in the time of Milton, and the present time, is as great as the difference between the lighting of the streets of London then and now. Then, as twilight disappeared, total darkness covered the city as with a pall. Then wandered forth the sons of Belial, flown with insolence and wine, and the noise of riot and injury and outrage was heard above its loftiest towers. The Muns, the Tytre Tus, the Hectors, the Scourers, the Nickers, the Hawcabites and the Mohawks were the terrors of the night and plied their vocations with impunity.

"Now," says Macaulay, "the Capital all the year round, from dark to dawn, blazes with a splendor, compared with which the illuminations for La Hogue and Blenheim would have looked pale," and midnight is as safe as midday.

The Puritans, notwithstanding the severity of their manners and their many faults, were by far the best representatives of the rights of men then existing. We laugh at their peculiarities, their absurd names—Tribulation Wholesome, Praise-God Barebone, Zeal-of-the-Land Busy, Sergeant Fight-the-Good-Fight, Captain Hew-Agag-in-Pieces-Before-the-Lord, If-God-Had-Not-Died-for-Thee-Thou-Hadst-Been-Damned Smith.

We read of major generals fleecing their districts, soldiers reveling on the spoils of a ruined peasantry, upstarts enriched by the public plunder, taking possession of hospitable firesides and hereditary trees of the old gentry, boys smashing the beautiful windows of cathedrals, Quakers riding naked through the market place, fifth monarchy men shouting for King Jesus, agitators lecturing from the tops of tubs on the fate of Agag.

But, notwithstanding all this and much more, Chatham said of them: "I grant there was fanaticism, there was sedition, there was violence, but no one shall persuade me that the Puritans did not maintain the cause of liberty, and were a patriotic and useful body."

The last specimens of the sect, such as Brewster, Miles Standish, Elliott and Winthrop, settled in New England, and, under the Puritan impulse, civilization has since that time advanced with giant strides. What was called Trimountain, and now Boston, is today in my judgment the happy city where the rights of men, women and children, and everything which tends to the amelioration of the condition of mankind, are better understood and more practical than in any other city upon this planet.

And what is the outcome, the final result, in relation to the particular matter now before the court, viz., the authority of a teacher to inflict corporal punishment upon a pupil? This is the point to which I have been drifting; and we find that the severity of semi-barbarous times has softened into the following regulations of the Boston School Committee:

"Sec. 185. All the instructors shall endeavor to maintain such discipline in their schools as is exercised by a kind and judicious parent in his family, avoiding corporal punishment in all cases where good order can be preserved by milder measures, and in no case resorting to confinement in a closet or wardrobe, or to any cruel or unusual punishment. Corporal punishment shall be inflicted only after the nature of the offense has been fully explained to the scholar, and shall be restricted to blows on the hand with a rattan. At the close of the day each instructor shall report in writing to the principal all cases of corporal punishment during such day, stating the name of the pupil, the amount of punishment and the reason for its

infliction; and the principal shall mention the number of such cases in his monthly report to the Board of Supervisors. Corporal punishment shall not be inflicted upon girls in grammar schools or upon any scholars in the high schools."

Let us dwell for a moment upon these regulations. The discipline shall be that of a "kind and judicious parent in his family." Corporal punishment shall be avoided whenever possible. It shall not be inflicted in the high schools at all. It shall not be inflicted upon girls in the grammar schools. In no event shall it be other than by blows upon the hand by a little pipe-stem stick called a "rattan," and even this shall not be done suddenly—not until after time has been taken to explain the nature of the offense fully to the pupil; and, as a further guard against excessive punishment, the teacher shall in all cases of corporal punishment, at the close of each day, make report in writing to the principal, stating the name of the pupil, the amount of punishment (or the number of blows with the rattan) and the reason for that infliction, and in addition the principal shall every month report the number of such cases to the Board of Supervisors. In no case shall the teacher resort to confinement in a closet or wardrobe, or to any cruel or unusual punishment.

So sensitive are the enlightened people of Boston in the matter of corporal punishment and all punishment of their children in the schools, and so determined are they that there shall be the least possible harshness in their infliction; and such is the fruit which the tree of liberty and humanity has borne and now bears in New England.

I do not quote the above extract as the decision of a court of last resort, and not as necessarily an authority obligatory upon other cities and towns, even in Massachusetts, but I refer to it as being an authority of much weight,

as the opinion of judicious men who have given the subject years of thought, have made it a specialty, reflecting the best and most mature sentiments of a most enlightened and humane community, and as expressing their most deliberate opinions touching the extent to which power should be trusted to a teacher.

It is in fact the opinion of a quasi court—the court of the School Committee, who are in some respects clothed with judicial authority, and I think it not improper that opinions from such a responsible source should have an influence with the courts of last resort.

The Rules of the School Committee of Bangor, pages 28, 29, restrict the teachers as in the two following paragraphs touching corporal punishment, the first being printed in large Roman to make it more emphatic:

"Discipline.—In the discipline of their schools they should endeavor to avoid all irritating language and harsh and improper punishment.

"Record of Cases of Punishment.—They shall keep a record of all the cases of corporal punishment occurring in their schools, stating in full the date of the occurrence of each case, together with the name of the pupil, the offense and the nature of the punishment thus inflicted; and they shall make a return of the record to the committee with each school register, and the agent shall furnish the necessary blanks for the records required."

The Rules of the School Committee of Portland surround the teacher with a still closer guard of restriction in the matter of corporal punishment, as follows (page 17):

"The discipline of the schools shall be of a parental character. Politeness and good behavior shall be carefully inculcated. Corporal punishment shall be resorted to only when other means fail. In every instance of the infliction of corporal punishment teachers shall keep a rec-

ord of the time, cause, manner and amount of punishment inflicted, a copy of which shall be included in their monthly report to the board."

The simple regulation of requiring the teacher to keep a record of all cases of corporal punishment (a record not required in any other kind of punishment), stating all the essential particulars, the date of the occurrence of each case, together with the name of the pupil, the offense and the nature of the punishment inflicted, as in Bangor, and the time, cause, manner and amount of punishment inflicted, as in Portland, and requiring the teachers to make report thereof to his superiors, cannot do otherwise than have a most wholesome and restraining effect upon the teacher.

The tone of opinion as manifested in the foregoing rules of discipline in the cities of Bangor, Boston and Portland is certainly very much in conflict with those portions of the judge's charge wherein he instructs the jury that "the teacher is to be judge, jury, legislature and sheriff, and in all within a certain limit his power is despotic."

Or, that clearly excessive punishment is "such punishment that all hands would at once say was excessive."

That all hands would instinctively rise up and say that it was excessive—so excessive that all of us would at once say that it was excessive—must be so excessive that the common sense of us all would say excessive.

But these rules of school committees in different places are in harmony with the opinions of the judges in Massachusetts and other states in decided cases.

Commonwealth vs. Randall, 4 Gray, 36, the court says: "The instructions given tended to justify the defendant in punishing his pupils with greater severity than is consistent with a just and humane exercise of the au-

thority conferred on him by law. To say the least, they were sufficiently favorable to the defendant. If, in inflicting punishment upon his pupil, he went beyond the limit of moderate castigation, and either in mode or degree of correction was guilty of any unreasonable and disproportionate violence of force, he was clearly liable for such excess in a criminal prosecution."

1 Hawk., C. 60, Sec. 23.

1 Russ. Crimes, 7th Am. Ed., 755.

Bac. Ab., Assault and Battery.

It is undoubtedly true that, in order to support an indictment for an assault and battery, it is necessary to show that it was committed ex intentione, and that, if the criminal intent be wanting, the offense is not made out. But this intent is always inferred from the unlawful act. The unreasonable and excessive use of force on the person of another being proved, the unlawful intent is a necessary and legitimate conclusion in all cases where the act was designedly committed. It then becomes an assault and battery because purposely inflicted without justification or excuse.

Whether under all the facts the punishment of a pupil is excessive must be left with the jury.

Hathaway vs. Rice, 19 Vt. 102.

Lander vs. Seaver, 32 Vt. 114.

The teacher has not all the authority of a judicial officer nor of a parent. In the case last cited the court says:

"We think the schoolmaster does not belong to the class of public officers vested with such judicial and discretionary powers. He is included rather in the domestic relation of master and servant, and his powers and duties are usually treated as belonging to that class. * * *

"In no proper sense can he be considered a public officer, exercising by virtue of his office discretionary and quasi judicial powers. * * *

"The schoolmaster has no such restraint, hence he may not safely be trusted with all a parent's authority, for he does not act from instinct of parental affection. He should be guided and restrained by judgment and wise discretion, and hence is responsible for their reasonable exercise."

Citing Blackstone and note.

No man should feel himself at liberty to administer chastisement co-extensive with the parent. Citing, also,

Comm. vs. Randall, 4 Gray, 36.

The opinion continues: "A schoolmaster has a right to inflict reasonable corporal punishment. He must exercise reasonable judgment and discretion in determining when to punish and to what extent.

"In determining what is a reasonable punishment, various considerations must be regarded—the nature of the offense, the apparent motive and disposition of the offender, the influence of his example and conduct upon others, and the sex, age, size and strength of the pupil to be punished.

"The teacher is not to be held liable on the ground of excess of punishment unless clearly excessive, and would be held so in the general judgment of reasonable men. If the punishment be thus clearly excessive, then the master should be held liable for such excess, though he acted from good motives in inflicting the punishment, and in his own judgment considered it necessary and not excessive."

And such has been the uniform ruling at nisi prius.

In the above case the ruling was otherwise, and the

verdict was set aside. The teacher may punish with "kindness, prudence and propriety."

Danenhofer vs. State, 35 Am. R. 216, (Ind).

First and Second Exceptions.

I contend that the charge is erroneous in saying that the teacher is to be "judge, jury, legislature and sheriff, and in all, within a certain limit, his power is despotic." It is an intensified use of language, calculated to impress a jury with a most exaggerated idea of the arbitrariness of a teacher's power.

"He cannot wait," implying that punishment must be inflicted on the spot, at the very moment of the disobedience. I say he can wait and ought to wait, and in ninety-nine cases out of one hundred by so doing the pupil would avoid the mortification and disgrace of corporal punishment.

The idea is repeated: "He has to examine, and then and there inflict punishment." This is what you might expect a teacher to do if he followed the dictates of anger, but not the dictates of "kindness, prudence and propriety."

Third and Fourth Exceptions.

"His discretion is not limited or hemmed in, or bound by your views or my views." I contend to the contrary. The jury is to be the judge of the propriety of the teacher's conduct, as in all other questions of fact. The teacher does not act in a judicial capacity.

"If in making rules he would be liable to be overruled by you or me, no teacher would dare to take a school." I dissent from this in toto. The rules of the public schools of Boston, September, 1883, cover more than fifty pages,

and the rules in other places, such as Bangor, Portland, indicate that the practice of establishing rules of discipline by school committees is very common, which they unquestionably have a right to do.

Fifth, Sixth, Tenth and Eleventh Exceptions.

"The measure of punishment, to be excessive, must be such that **all hands** would at once pronounce it excessive." This idea is stated at least four times in the charge, and in such a manner that the jury could not mistake the urgency of its meaning. "All hands would at once say it was excessive—so excessive that all of us would at once say it was excessive—so excessive that the common sense of all would say it was excessive." The court urged upon the jury excessiveness in the superlative degree. If it be so excessive as to wake the dead, then it is clearly excessive.

Even if the rule stated, which seems to me to require a jury to lay aside their own judgment and adopt the judgment of others, be correct, it would seem to be the slow, candid, deliberate judgment of others to which they should defer, and not that judgment which might be formed **at once, immediately,**—a judgment which they would instinctively rise up and condemn as by an electric shock.

This would seem to require a jury to base their verdict on what others might say in a moment of excitement, and not after mature deliberation. But I can see no reason why a jury in this case, as in all others, should not exercise their own judgment without reference to any conduct or opinions of others. They are the only ones who make a judicial investigation, hear witnesses under oath, the arguments of counsel on both sides, and have the guidance of the court.

Seventh and Eighth Exceptions.

The teacher has the right to "produce swellings." I contend otherwise. The body of a human being, made in the likeness of God, is a sacred temple—too sacred to be profaned after that manner. Swellings are often of a more serious nature than wounds producing a flow of blood. Many a man has suffered death from a blow on the head, in the pit of the stomach, and other vital parts, while not a drop of blood was shed.

Seventh Exception Especially.

The judge charges the jury: "He (the teacher) has a right to inflict some bodily punishment, to produce severe pain—temporary pain; to produce, if you please, swellings. I have gone home many times myself with my hand swollen. The teacher had a right to inflict that punishment, to produce those swellings."

It is very clear that the judge would not have suffered either party to prove those facts related by the judge in his own experience. He states them of his own accord. I object to that statement most emphatically as evidence voluntarily introduced into the case by the presiding judge without sufficient warrant. It is not a statement of a general fact of history or of science, or one which could be supposed to be embraced in the general mass of knowledge common to intelligent men. It was the statement of a particular fact in the private life of the judge. Coming as it did from the bench, with the judicial authority and avouchment of a judge of the most august judicial tribunal in Maine, it had a tendency, and a very strong tendency, to produce an impression unfavorable to the plaintiff, and a strong palliation and even approval of defendant's conduct. I do most respectfully but earnestly complain of the judge's statement in the

seventh exception, whether regarded as a statement of a fact or an argument.

Ninth Exception.

The teacher is not responsible for a "permanent injury;" it might be the result of "accident." I contend that he is responsible for a permanent injury, even though it be the result of an accident in inflicting corporal punishment.

The teacher is a man grown; the pupil is a child. If he punishes at all, he must do it with "kindness, prudence and propriety." If he resorts to the very questionable remedy of corporal punishment, he should see to it that no permanent injury arises therefrom, as railroad companies are responsible for injuries to a child when they would not be in the case of an adult.

What parent of well-balanced mind would be willing to intrust his child to a teacher under less restrictions?

Elkins vs. Boston & A. R. Co., 115 Mass. 190-200.

Lynch vs. Smith, 104 Mass. 52.

Brown vs. E. & N. A. R. Co., 58 Me. 384.

Wash. & Georget. R. R. Co. vs. Goldman, 15 Wall. 401.

Twelfth Exception.

"Here again I remind you that if the boy resisted lawful punishment, and that resistance caused the injury, the teacher would not be liable for a permanent injury."

This surrenders the boy's whole body to the teacher. He may inflict permanent injury if the boy resists. What parent or reasonable man could subscribe to this doctrine? A permanent injury, an injury through life, a cripple for life—all because the child was disobedient and resisted at school! I venture to say that a man cannot be found in Maine who would consent, in case of resistance of his boy

in school, that the teacher might go so far as to inflict, or be in danger of inflicting, permanent injury, even though the teacher never intended it. Nor would a parent run that risk with his child under any conceivable circumstances.

Thirteenth Exception.

Similar objections as to exception number twelve.

Fourteenth Exception.

I respectfully contend that the whole charge in tone throughout, without going into details, is calculated to give an exaggerated idea of the power of a teacher, to exalt him above what the duties and rights of a healthy school require, and belittle the rights of a pupil. It does not present the case to the jury as the rights of parties by law requires, and gives them a very erroneous impression.

This general objection is a fair matter of exception.

Nurse vs. Parker, 138 Mass. 367.

Fifteenth Exception.

The teacher was permitted to give evidence of other delinquencies of conduct of the pupil at other times, that he "was much inclined to jump onto and impose upon other boys smaller than he, for which I had occasion to speak to him." "He annoyed me very much by his persistent idleness, whispering," etc. "I administered slight punishment." At one time he "pushed a scholar in front of him onto the one before him, and made almost a pile of them. I sent him back to his seat and obliged him to remain till the others had passed out before I dismissed him."

These matters were wholly foreign, were prejudicial to the pupil, and I submit should not have been received.

To conclude, I would not, if I had my way, admit corporal punishment in school under any circumstances, not even the insignificant "rattan" upon the hand, as partially suffered in the Boston schools.

The time is coming, and not many years hence, when corporal punishment will be regarded very much as we now look upon a fossil of the pre-Adamite period. Even now it is unknown in the kindergarten system, which instructs pupils from three to eight years of age—a time of life once supposed to require more whipping than any other years.

The law of kindness is a law of universal power. Burke endeavored to influence the British Parliament to apply it on a larger scale when, in defense of the Colonies, he said: "Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together." Harsher means prevailed and the Colonies were lost.

It is the sentiment of the Beatitudes, the doctrine of the Sermon on the Mount, and I cannot find that Jesus ever resorted to any other remedy except once when, as it is written, He made a scourge of small cords, and Himself, a stranger in Jerusalem, and apparently single-handed, drove the profane herd from His Father's house.

Of the historical accuracy of this statement I have some doubt, but I do not doubt the genuineness of those passages which exhibit His love and respect for little children.

Corporal punishment is degrading to a child, as well as to a man or woman. I doubt if it ever improves either. It may deter others, but makes the adult or child worse. And so it has been found in the army and navy.

To the immature constitution of a child corporal punishment is dangerous. Fatal consequences, never imag-

ined, if seldom, yet too often, follow the rash act of a teacher or parent. I remember reading in the newspapers several years since that for some act of disobedience of a child of three or four years, the mother approached him, threatening punishment with a leather strap in her hand. The child, in agony of fear, exclaimed, "Oh, my mother!" and fell dead. With what warning and rebuke did the voice of Nature speak through the lips of that child?

I believe with Robert G. Ingersoll that you have no right to strike a child. I admit that it is much easier and more convenient to whip than to punish in any other way. You can do it quicker. It takes less time. You can soon stop the noise and read your newspaper. It is far less labor to whip than to exercise patience and deliver a homily.

"He who spares the rod spoils the child" may be a maxim excusable in a semi-barbarous age; but, in my judgment, to say, "He who uses the rod spoils the child," comes much nearer the truth in this last quarter of the nineteenth century.

The times of this ignorance God winked at, but now commands all men, everywhere, to repent.

After the poem, the audience gave their attention to Hon. Josiah Crosby, who delivered the following

ORATION.

Ladies and Gentlemen:

Whether this world has existed six thousand or many millions of years, certain it is that within the limits of authentic history vast changes have taken place in the character and conditions of the human race. Time was when the earth contained but few inhabitants, and this planet, then supposed to be flat and the center of the universe, presented but a small inhabited area. Towns and districts of less size than modern counties were called nations, and were engaged in continual strife, as is the case, more or less, with our Western Indians at the present time. Some philosophers have contended that war is the natural state of man. Whether this be so or not, the time predicted seems far distant when the wolf shall dwell with the lamb, and the lion shall eat straw like an ox, and a little child shall lead them. For at this very moment, in the nineteenth century of peace and love, the lion of Great Britain glares and shakes his brinded mane at the double-headed eagle of Russia, and the royal bird of the north lifts his talons for the encounter.

In the petty wars of Joshua, it is related that at one time thirty-one kings were captured, and at another three score and ten. In the palmiest days of Athens and Sparta, what now constitutes the little kingdom of Greece included numerous independent republics, sometimes in alliance,

but quite as often at war. In the progress of time and intelligence small states have tended to disappear by the process of agglomeration into large and powerful empires, as lately illustrated by the genius of Bismarck in Germany and the vigor of Victor Emmanuel in Italy. Large states exist under improved conditions, better comprehend the privileges and designs of nature, with greater power to enforce them.

The United States were once thirteen colonies, with no bond of political connection. They are now a vast nation, understanding the rights and entitled to the rights so well established by the progress of modern science. The inhabitants upon the northern portion of the Mississippi, the sources of the Yellowstone, emptying into the Missouri, thence into the Mississippi, and the gulf, those upon the Ohio and its tributaries, have a natural right to the free navigation of this great natural highway without let or hindrance. One thousand, perhaps one hundred, years ago this principle was not generally understood, and even now is by no means universally, perhaps not generally, acknowledged. Nevertheless, this principle will some day universally prevail to the end that the inhabitants of the earth may get the fullest enjoyment of all the advantages which the beneficence of nature has provided. It is this principle which has actuated Russia for centuries in her persistent efforts to conquer Turkey, in order that the inhabitants in the region of the Black Sea may enjoy their natural right of free access through the Dardanelles to the Mediterranean, and thence to the whole world through the Straits of Gibraltar. Her centuries of persistence will at some future time be crowned with success.

Through the agencies of steam and electricity and discoveries in the whole domain of science, for all practical purposes the inhabitants of Oregon and California

are as near to Washington as were the inhabitants of Bangor to Boston at the first settlement of the Queen City of the East.

The Mississippi, with its branches, drains far the greater part of the northern states and territories. In the late rebellion the southern people, by seizing and attempting to establish an independent nation upon the outlet of this great river, neglected or ignored the great weight attendant upon the fact that by so doing an immense territory, already counting many millions of strong and warlike people, doubling their population in every twenty or thirty years, would be cut off from the free use of this great natural watercourse; and that such a people, having once enjoyed it to its fullness, would never consent for such valuable rights to hang upon the brittle thread of a treaty. Had the rebellion been successful, it would have been short lived. Disputes would arise, treaties be broken. The great West and Northwest would be finally contented with nothing less than undisputed, unqualified use of the Father of Waters. Strife would continue till the people in both sections, north and south, tired of the endless contest, came together again, united as before.

When nations or peoples have subjects of difference which they can settle in no other way, they resort to arms. Chattel slavery, including within that term everything nearly or remotely bearing upon the subject—the right to carry it into the territories, to maintain it in the District of Columbia, to reclaim the fugitive slave in the free states —had become, in the fall of 1860, one of those insolvable questions impossible to adjust by any of the ordinary means of legislation or judicial determination. The subject had been somewhat agitated at the time of the Declaration of Independence, again at the formation of

the constitution in 1787; had created intense excitement in 1820 on the question of admitting Maine and Missouri into the Union; had lulled on the adoption of the Missouri compromise, a mere legislative enactment liable to repeal; was again the subject of intense agitation on the admission of Texas in 1845; burned at a white heat on the repeal of the Missouri compromise in 1854, and again on the settlement of Kansas in 1856-7; and finally on the election of Lincoln in 1860, culminated in open rebellion and secession of eleven of the slaveholding states, and an attempt to establish an independent nation having full control of the mouths of the Mississippi.

The friends of freedom up to that time had hoped and generally believed that the peculiar institution would be finally abolished by peaceful means, that the Congress might obstruct and cripple it by legislative enactment in many ways—could prohibit it in all the territories and in the District of Columbia, and inhibit its commerce between the different states; and that in time it would die a natural death. The importation of slaves from Africa had been declared illegal in 1808. By the congressional ordinance of 1787 slavery had been effectually forbidden to enter the northwestern territory, now comprising the states of Ohio, Indiana, Illinois, Wisconsin and Michigan. It had been abolished in the District of Columbia. But the South, basing their argument upon the conceded equality of the states under the constitution, contended that they had the same rights to carry their slaves into all new territory and hold them there, as the people of the northland had to carry their cattle and hold them there. They procured a decision of the Supreme Court in the Dred Scott case, that a man tainted with African blood had no more civil rights than a brute. But the North prospered and, growing more numerous and stronger under the stimulus of

universal freedom, outstripped and overbalanced the South. The election of Lincoln demonstrated the fact that the North had won in the councils of the nation, and that the slave holders' policy could no longer prevail.

It is to be observed that however absurd the doctrine may appear to a northern man that slavery is right before God, sanctioned by the New Testament and the law of nature, the people of the South had been so taught from their cradles. They had never heard preaching of a different kind. Negro slavery seemed to them an institution favored by their climate, profitable in the cultivation of cotton and sugar, adapted to their wants. The race was inferior, as all men in a state of bondage must inevitably be. Their foremost, their most enlightened men, statesmen, preachers, churches, pronounced it the very best relation of both races. Such is the weakness of man, so much is the judgment warped by selfishness. So long, earnestly and persistently had this doctrine been cherished that, as it appears to me, they had come to have perfect faith in its soundness, and honestly believed the institution to be worthy of favor, and ought to be extended. When we reflect that at the Declaration of Independence it existed in all the northern colonies with the approbation and sanction of the descendants of the Puritans; that though Congress in 1820 declared the slave trade on the ocean to be piracy, yet that the infamous traffic was still practiced by northern men—was tolerated, winked at, till in 1861 Lincoln hung the slave trader, Gordon; that Great Britain abolished it in her colonies so late as 1834; that Russia has done away with it only since the commencement of the rebellion, and that Spain still clings to it in her colonies; that in some form it has existed with nearly all civilized nations from the dawn of history,—it is not to be wondered at that the South, finding it so profitable,

clung to it even to the arbitrament of arms. So great are the well known evils of civil war that men will not rush madly to revolution at the imminent risk of their lives and fortunes except they be impelled thereto by the convictions strong enough to take possession of the soul and carry it whithersoever they will. Every effort was made to avert the storm—peace conventions were held, every form of compromise debated—all to no purpose except to make still clearer the unalterable determination on either side to maintain what they believed to be their rights.

At length the war of words ceased. The great debate was ended. The conflict of ideas was found to be an irrepressible, irreconcilable conflict. Slavery under the constitution had proved to be the fatal cause of strife, the "vulnus immedicabile," a disease beyond the reach of medicine. The Gordian knot might be cut, but could not be untied. No resource remained but to draw the sword and appeal to the God of Battles.

The first shock of arms uttered its thunder at Fort Sumter, and startled the people as they were never startled before since the day they became a nation. Subsequent history has shown that the first gun fired at Charleston was the death-knell of that cherished southern institution. We can readily see it now, but could not then. It was written in the book of fate that slavery should come to its final agony through the very means by which the slaveholders undertook to perpetuate its life. In the light of past events it is not difficult to see very clearly the great purposes known only in the councils of heaven for which the rebellion suffered. Humanly speaking, the result of the great conflict between freedom and slavery, which has existed from the adoption of the constitution in 1789, and to some extent long before, is founded on a series of mistakes or miscalculations by the people both

North and South, and but for those mistakes the institution would now exist in full vigor. How short-sighted is man, and how little, with all his boasted wisdom, can he penetrate the councils of Jehovah, or, if you prefer the phrase, the connection between cause and effect. The people of the South made their first mistake in believing that they could establish an independent nation, controlling the mouths and lower portion of the great Mississippi, and that the people inhabiting the vast extent of country on its upper portion and its mighty branches, the Ohio and Missouri, would consent thereto through the feeble conditions of a treaty. Their second mistake was that a large portion of the people of the North, the Democratic party, would take sides with them, and fight for them if need be. Their third mistake was that there would be no war at all, that the North would consent to let them go in peace. Their fourth mistake was that if war came they were more than a match for their antagonists—that it was impossible for the North to conquer them, that one southerner was more than an equal in fighting qualities to a northerner. These are some of the mistakes or miscalculations made by the people of the South, and without those mistakes the irrepressible conflict would not have issued in the last resort of nations.

The North also made mistakes. They persisted in their anti-slavery legislation and policy in the firm belief that the South meant bluster and would not fight. They said, "you talk about fighting and secession—we have heard all this before. You mean no such thing. General Jackson once extinguished your incipient treason with a proclamation. You dare not commit treason." Mr. Secretary Seward, the leading statesman of the North, repeatedly prophesied that the rebellion would collapse in thirty days, or ninety days. The president issued his call

for soldiers for three months' and nine months' service, on the theory that the war would be ended before the expiration of the term of enlistment. It must be admitted that the Democratic party had a more correct view of the actual situation than had the Republican party, which elected Lincoln. The Democrats said before the election: "The South means secession, they mean fight, they will fight; war is inevitable, if you, the Republicans, persist in your present policy." The Republicans turned a deaf ear to the warning of Democrats, and refused to waver in the least from their principles of freedom announced in their national convention. Democrats said: "You Republicans will ruin the country in your sympathy for the blacks." Republicans replied: "You Democrats propose to surrender the cause of human rights to the bluster of the South." Democrats nicknamed their adversaries "Black Republicans." Republicans, not to be outdone in the eloquence of slang, called their enemies "Copperheads." The great mistake of the Republican party was their utter disbelief that rebellion would be commenced at all, or, if commenced, would continue to any alarming extent. This was an undoubted error in judgment on their part, but a most blessed mistake it proved to be, as is this day apparent in the light of subsequent events. Had the people of the North, at the time of the attack upon Fort Sumter, become thoroughly impressed with the immense cost of the war, in treasure and blood—five billions of dollars and half a million of lives—with all their attendant hardships, poverty, misery, grief, agony and mourning, they would have shrunk from the appalling prospect. Without a change of policy the dominant party would have been upset, and the Democratic party, with an opposite policy, been reinstated. The people would have said to the rebels, "Erring brothers, go in peace. Draw your line of separation.

Let us have two nations, rather than suffer such dreadful sacrifices." It was only by a gradual process that the people became educated up to the magnitude of the contest, and became filled with the determination to preserve the Union at any price. The disaster of Bull Run was pregnant with deep meaning; to the North a most fortunate event, and equally unfortunate to the South. It proved that the South were in earnest, that they would fight, and fight valiantly, and encouraged them to continue the contest. It touched the pride of the Puritan spirit to the quick. Your genuine Puritan is no Quaker; he has ever been the best of fighters in a cause which he believes to be just, and he will engage in no other. Their spirit rose as the battle raged. One sacrifice only prepared them to endure two still heavier; the two taught them to endure still greater burdens—and thus the cause gained ground with the force of geometrical progression. You will remember that at first, bounties for enlistments of some $30 were offered. Then $50, then $100, $200, $300, and at last $500 was the usual bounty, and was voted as cheerfully near the close of the war to strengthen the armies of Grant about Richmond as the smaller bounties were voted at its commencement.

At length the war ended. Rebellion was silent. The clang of arms had ceased. The soldier, like a good citizen, had gone to his home and assumed the duties of private life. Then it had been made most manifestly to appear that one great step forward had been taken in the progress of the human race, though at immense cost; to-wit: The abolition of chattel slavery in the United States of America. The rebellion, which had been organized to perpetuate it, had been the means of its overthrow, all brought about through a series of mistakes and miscalculations both North and South—overruled by Providence,

for the good of mankind. How often do the best laid schemes of mice and men have a different solution from what their wise authors intended!

If the South could have foreseen the result of secession in the abolition of their cherished institution, rebellion would not have happened. If the North could have foreseen the cost in blood and treasure, rebellion would have been an accomplished fact without resistance. It is thus that the mutual mistakes of both parties resulted in the greatest good of the human race.

Other good results have come out of this terrible education of the people. The different portions of the nation now understand each other better. The South no longer boasts that a southerner is superior to a Yankee. The North no longer believes that the southerner was insincere in maintaining the virtues of his peculiar relation to the blacks. No candid man will deny that there were deeds of true heroism on the part of our southern brethern, as well as with the soldiers of the North. Their sacrifices were as great, yea, much greater. Parents sent their children to battle with as much devotion as did parents in the North. The southern soldier fought as well, but not better, than his northern antagonist. In endurance he was not his equal. A brave man respects a brave enemy and likes him better after he has proved his courage than when before the fight he suspected his cowardice. The soldier of the North respects the soldier of the South. He knows that he devoted his life to what he believed to be the right, however mistaken. Men like Lee and Stonewall Jackson command the admiration of mankind equally with Grant and Sherman and Sheridan. Many evils undoubtedly follow in the wake of all wars of whatever description. But it often happens that after the strife has ceased, the passions cooled, and crying evils swept away,

and time has healed the wounds of violence, that the people on both sides have made an important advance in the right direction. It was so in the French Revolution; it was so in the Revolution of our fathers. The principles of liberty were better understood and cared for, both in America and England, after that seven years internecine strife than before. But so vast was the revolution in the South, so thorough was the disarrangement of all the strata of society there, that it is unreasonable to expect all the wounds to be healed and all the disturbances adjusted in one year, or ten years, or twenty years. One entire generation is short time enough for that. That revolution was one of the most far-reaching that ever occurred to any people—far more so than the revolution of our fathers. Four millions of slaves of different race and color were at once freed from bonds and placed upon terms of political equality with their former masters; the masters reduced to comparative poverty. No servants to do their bidding for fear of the lash; themselves, formerly living in luxury, compelled to work or starve. The sons of noblemen, with delicate hands, competing for the employment of a conductor on a street car, and the daughters driven to spin and weave. Time, which works slowly but surely, can alone bring all difficulties and differences to a peaceable adjustment, and this it surely will do. I think that, considering all the circumstances, up to the present moment all the progress has been made which could reasonably be expected. Violence there has been, no doubt, since the treaty of Appomattox, iniquitous scenes enacted, unjust proceedings had toward the new-born race in many cases. Undoubtedly they have not always had their rights. But unjust laws, through constitutional amendments, have been abrogated; violence has been much, very much, lessened under the administration of President Hayes. The

black voter begins to be courted by both parties. Some negroes in Mississippi have been elected on Democratic tickets, their former supposed adversaries. Their education is being better attended to, and they are gradually becoming better fitted for the intelligent exercise of the ballot. The interests of both races are substantially the same, and as time progresses they will both come to a better comprehension of their true relations. There they are together, and there they must remain and coexist together as freemen. It is far from the true interest of the whites to have an ignorant and degraded population among them, because the deeper the ignorance and degradation, the more crime, less safety and less happiness to the whites. Many of their leading men in Congress take an enlightened and liberal view of the situation, and do not hesitate to express themselves and act accordingly. Wealth increases; as large crops of cotton are raised by freemen as were raised formerly by slaves. The North has been magnanimous to the South. No rebel has been tried for treason. Nearly all of them have had their offenses completely forgiven and are eligible to any office in the gift of the republic. It was a remark of Edmund Burke, when raising his powerful eloquence in behalf of liberal treatment of the American colonies:

"Magnanimity in politics is not seldom the highest wisdom, and great empire and little minds go ill together."

I have the fullest confidence that it has not failed, and will not fail in the treatment of our southern brethren.

It is pleasant to remember that in all the trying scenes of the past the citizens of Maine have ever taken a manly part. Maine has ever been true to the Union. No call was ever made upon her to which she did not respond with alacrity. Her sons were ever gallant and brave, and flinched from no hardship in the deadly conflict. None

exhibited greater courage or greater powers of endurance. Our climate is rigorous and our soil cannot compare in fatness with the soil of many other states, but the air is bracing; pure springs from countless hills and mountains, and streams from unnumbered lakes, carry and diffuse health over her entire area. Our children are inured to habits of industry and temperance. Upon the whole, I am justified, I believe, in saying that, whatever may be said of the cereal crops of Maine, the history of the war has shown that in the courage and endurance of those who went into the field, and the patriotism of those who remained and supported their brothers in the hardships of the camp, the march, the battle, no state can produce a finer crop of men and women than has the state of Maine. For this reason I was ever of opinion, with the Vicar of Wakefield, "that the honest man who married and brought up a large family did more service than he who continued single and only talked of population." The spirit of liberty implanted by our Puritan ancestors has been the main-spring of our success. The sentiment of Cowper, applied to Great Britain, will apply equally well in fact, though not in words, to our beloved state:

"Though o'er our heads the frozen Pleiades shine,
'Tis liberty that crowns Britannia's Isle,
And makes her barren rocks and her bleak mountains smile."

And while upon this theme I cannot refrain from alluding to an awful event which has recently occurred in our midst and which has excited deeper emotions in this community than any other event of a domestic nature has ever produced among us. It was not an incident of war. No martial shout, no trumpet tone, no excitement of battle, no vision of victory urged on the lamented Barron to lay down his life in the discharge of duty. Surrounded

and overpowered by assassins, the question with him was, Should he violate his trust or surrender his life? He chose the latter. Will any soldier say that that act of heroism was surpassed by any deed, however brilliant, in the history of the late conflict? Surely peace hath her victories no less renowned than war.

As this occasion is specially set apart for the purpose of commemorating the memory of the heroic dead, I have thought that it may not be uninteresting nor wholly inappropriate to refer to a most celebrated case of the kind in antiquity, in which the people of those times manifested their grief and respect for their fallen heroes, though with customs far different from our own. It occurred 1,200 years before the Christian era, and is described in the closing lines of the most wonderful poem in existence, written 800 years before Christ, the Iliad of Homer, as translated by Pope, describing the funeral rites of Hector. The siege of Troy by the Greeks—or, more properly speaking, of Ilion, the chief city of Troy—had continued nine years. In the tenth year of the siege, Achilles, the chief warrior of the Greeks, had slain Hector, the great defender of Troy, bound his body by the ankles to his chariot and dragged him in triumph in front of the city walls, in the sight of Priam, his aged father, and Andromache, his wife, and of all the inhabitants of Ilion. Achilles, at the supplication of Priam, had given up the body of Hector, granted a truce of twelve days for the funeral rites, which time was occupied in bringing wood from Mount Ida, constructing a funeral pyre, placing the body thereon, burning, and other ceremonies customary and appropriate to the occasion. It is thus that, at the command of Priam, due honors are paid to the dead:

"Perform, ye Trojans, what the rites require!
And fell the forests for a funeral pyre;
Twelve days, nor foes, nor secret ambush dread,
Achilles grants these honors to the dead.
He spoke, and at his word the Trojan train,
Their mules and oxen harness to the wain,
Pour through the gates, and felled from Ida's crown,
Rolled back the gathered forest to the town.
These toils continue nine succeeding days,
And high in air a sylvan structure raise,
But when the tenth fair morn began to shine,
Forth to the pile was borne the man divine,
And placed aloft; while all with streaming eyes
Beheld the flames and rolling smoke arise,
Soon as Aurora, daughter of the dawn,
With rosy luster streaked the dewy lawn;
Again the mournful crowds surround the pyre
And quench with wine the yet remaining fire.
The snowy bones his friends and brothers place
(With tears collected) in a golden vase;
The golden vase in purple palls they rolled,
Of softest texture and inwrought with gold.
Last o'er the urn the sacred earth they spread,
And raised the tomb, memorial of the dead,
(Strong guards and spies, till all the rites were done,
Watched from the rising to the setting sun).
All Troy then moves to Priam's court again,
A solemn, silent, melancholy train;
Assembled there, from pious toil they rest,
And sadly shared the last sepulchral feast.
Such honors Ilion to her hero paid,
And peaceful slept the mighty Hector's shade."

Members of the H. F. Safford Post: You have devoted this day to the kindly remembrance of your late companions in arms. You have read the Roll of Honor; you have visited their graves. How peaceful is their final rest in yonder cemetery, in the silent company of their parents, wives, children, friends, associated with all that is most endearing in social and domestic charities! You have hung their monuments with wreaths of flowers as a sweet reminder that their deeds are not forgotten, and

their names are still held in fragrant remembrance. What a contrast is this to your relations with them fifteen years ago. Then you were side by side in the camp, the march, and the deadly strife of battle. Now the cannon's roar is silent. Neither they nor you hear the tempest of war, nor witness the battle's confusion. The shouts of victory, the cry of onset, the retreat, the rallying charge, no longer animate the scene and thrill the soul. Your comrade rests in his narrow home. Life's fitful fever over, he sleeps well.

"Soldier, rest! thy warfare o'er,
Sleep the sleep that knows not breaking;
Dream of battled fields no more,
Days of danger, nights of waking.
No rude sound shall reach thine ear—
Armors clang or war-steed champing,
Trump nor pibroch summon here,
Mustering clan, or squadron tramping.

Here no warlike shouts assail ye,
Here no bugles sound reveille.
Soldier, rest! thy warfare o'er,
Dream of fighting fields no more;
Sleep the sleep that knows not breaking,
Morn of toil, nor night of waking."

Commander Wood, in behalf of the Post, expressed much gratification at the successful issue of the exercises of the day and evening, and thanked all who had assisted in bringing about such result.

The program was finished by the quintet, by Messrs. Moore, Mower, Bert Dustin, Bridgham and Harrison.

While the audience was dispersing, the singers rendered Star Spangled Banner with much spirit.

We think the Post and all connected with the memorial services, have ample reason to be pleased with the manner in which every part of the program has been carried

out. The poem and the oration were both fine productions and received applause from the audience. The music, both on the parade and at the hall, was appropriate and well rendered. We should like to say much more in connection with the day's exercises, and kindred matters, but the lateness of the hour and lack of space forbid.

THE CASE OF STAIN AND CROMWELL

Probably no event in the history of Dexter ever brought the town before the public eye, far and near, as in this case, which is closely identified and, in fact, interwoven with the case of the Dexter Savings Bank vs. Estate of John Wilson Barron, and of the tragic death of Mr. Barron.

Josiah Crosby and Col. Jasper Hutchings, of Bangor, Maine, had been solicited by Stain and Cromwell to defend them for the alleged murder of Mr. Barron, but, for reasons unnecessary to explain here, neither counsel took part in the trial. But it is safe to say that no man was more thoroughly familiar with all the facts and circumstances than Josiah Crosby.

Father was earnest in his convictions and absolutely fearless in expressing what he found to be the truth, and he had much keen sagacity, and went to the bottom of things. His success as a lawyer was owing to his great faculty of reasoning out questions presented to him, legal or otherwise. He did not try to see points where they were not to be seen, neither would he close his eyes to patent facts.

The following interview was published in the Lewiston, Maine, Journal after the final disposition of the case by the law court, or what may be called the Appellate Court of Maine. But, in fact, Maine does not have a Court of Appeals. The nisi prius, or trial judge, who presides at the trial of a case, sits in review of his own opinions, when the case is reviewed by the law court, which consists of all the trial judges of the Supreme Court of Maine.

Often in former years, when exceptions were taken or case appealed to the law court, the judge who tried the case would write the opinion,—reviewing himself, as it were,—or making himself judge of his own case.

In the case of Stain and Cromwell Chief Justice Peters presided.

The interview will be found interesting and will stand high as an authority as to the facts of the case.

The wonderful and unflagging interest in the case of Stain and Cromwell is without a parallel in the records of criminal matters in Maine and probably in the whole country there is nothing like it in history. In every respect the case is most peculiar, the circumstances, the facts bearing upon it and the strange character of the testimony combining to make a story which is so complex as to excite the curiosity and wonder of every man whoever gave it attention. The people of Dexter have been before and since the trial thoroughly convinced that the arrest of Stain and Cromwell was a mistake and that their conviction was a miscarriage of justice.

Thinking that the opinion of the learned justices of the Supreme Court would have as much effect toward changing their minds, if they could be changed, as anything that could be said or done, the Commercial sent a reporter to Dexter to interview the business men and secure their statements. It was found that every one of them was ready and anxious to express his views and the number seen was limited only by time. The Commercial gives the leading points made by these gentlemen, and, although they occupy much space, we are satisfied that they will prove very entertaining reading for the host of

people who have become interested in the now famous death of Mr. Barron and the trial of Stain and Cromwell.

It is the opinion of all the gentlemen interviewed that steps should be taken towards the pardon of the men and they will assist in it to any extent in their power, believing, as they do, that a great injustice has been done. They also generally advanced the idea that the alleged "confession" of young Charles F. Stain would be riddled completely before many months.

Hon. Josiah Crosby.

Hon. Josiah Crosby is the leading lawyer of Dexter and a man whose name commands the greatest respect in every quarter of this state, for he is widely known and has held many positions of prominence. A Commercial reporter, knowing Mr. Crosby's connection with this case and that his opinion would be of value, found him at his office, deep in the mysteries of law suits, and said to him:

"Mr. Crosby, I want to know your opinion of the case against Stain and Cromwell and whether or not it has been affected by the decree of the learned judges."

You want me to talk upon the matter of the Barron and the Stain and Cromwell case, he said. There has been more lying about that affair than upon any case you ever heard of in history. I have had some familiarity with the case from the beginning. I was with Hon. Josiah H. Drummond, counsel for the Dexter Savings Bank in matters of difference between the bank and the Barron estate, and had occasion to give the whole matter the fullest investigation on the question of his defalcation, including the manner of his death, which was fully investigated before the auditors, Hon. Samuel F. Humphrey and the late John S. Ricker, for many years cashier of the Merchants' Bank, Bangor. I was also counsel for Stain in his exami-

nation before the magistrate and for some time afterwards, but had nothing to do with the trial of Stain and Cromwell in the Supreme Court, and was not at any time present, but read the evidence pretty carefully as published in the papers. I think I well understand the bottom facts. It is a long story, and I can only touch on some of the more prominent points.

To begin with, Mr. Barron was thirty-nine years old, was deacon of the Congregational Church of Dexter, stood well in town, was somewhat reticent and secretive in disposition. He had a salary of $1,000 from the bank and $30 as treasurer of the town. His reputation was good and no one suspected him of dishonesty. At the time of the strange occurrence of February 22, 1878, the opinion in Dexter was universal that he had been murdered and the bank had been robbed, and that he had defended his trust with his life. There was not even a suspicion to the contrary. The bank officers and everybody took an intense interest in discovery of the murderers. Messengers were sent in every direction, all strangers were inquired of, telegraph wires were freely used, and every conceivable effort was made to get some clew to the supposed murderers.

Mr. Barron was taken from the vault at near eight o'clock in the evening. Drs. Clough, Mudgett and Springall attended him. It was their opinion that he appeared like a man who had taken an overdose of some narcotic, for which they administered remedies,—coffee and belladonna. They made some examination to find evidence of hypodermic injection, but found none. They supposed that in some way the murderers had got the narcotic into his system, but not, by any means, that he had taken it voluntarily. I saw him that evening about half an hour after he had been taken from the vault—lying upon the

table in the National Bank room, but saw no evidence of bruises at that time on his forehead.

An inquest was held, the jury being myself (Josiah Crosby), Dr. Simeon Mudgett, George Hamilton, George A. Abbott, Benjamin F. Eldridge and Levi Bridgham. We took the evidence of several witnesses, examined the body, and were very desirous of a post mortem examination. I, as one of the jury, requested it of Mrs. Barron, the wife, and of his mother, both of whom strenuously opposed it, and then the coroner, Nathan Wyman, made the same request, but could not get their consent, and unfortunately no post mortem examination was made; but at the time of the inquest, a few days after the events, there did appear some settling of blood on the left side of his forehead.

So great was the admiration for Mr. Barron and sympathy with his family, that money began to flow in from banks and others for their benefit, and a committee, consisting of Charles Shaw, president; C. W. Curtis, cashier, of the First National Bank; A. F. Bradbury, president, and Geo. Hamilton, the newly elected treasurer of the Savings Bank, and myself, as attorney to both banks, issued a circular to banks throughout the country, accompanied with a picture of Mr. Barron, soliciting aid for the family, on which we received about $6,000, all for Mrs. Barron and family, consisting of herself, the mother and child, and some of it, about $35, for the erection of a monument to his memory. The funds for a monument, not being sufficient, were returned to the donors. The remainder, between $5,000 and $6,000, we still hold in trust, have it safely invested and regularly pay over the income to Mrs. Barron.

A detective, Mr. Wiggin, was employed and much time, money and efforts were expended to discover the

supposed murderers, but with no results. Mr. Barron's bank books were kept in such a manner that the trustees could not tell with much certainty of how much money he had been robbed, sometimes supposing it to be about $1,400. So matters remained till in the fall of 1878 George Hamilton, treasurer, in making his annual report to Mr. Bolster, the bank examiner, had occasion to look to the returns of the year previous and discovered a discrepancy of $2,000 between the same as returned to Mr. Bolster and the records of the bank, also an alteration in the records of the bank in various places of $2,000, particularly in the report of the examining committee, Job Abbott and Nathaniel Dustin (dated in the fall of 1877), so nicely made as not to be readily discovered.

Further examination was made and other suspicious figures were found. Suspicions began to be entertained by the trustees that they maintained a wrong theory. The work of Mr. Wiggin having accomplished nothing, they made application to Hon. L. A. Emery, then attorney general, and now justice of the Supreme Court, and on his recommendation, Mr. A. P. Dearborn, an experienced detective, whom he had formerly employed, and in whom he had great confidence, was engaged. Mr. Dearborn came to Dexter and made a thorough investigation, and pronounced Mr. Barron's death a case of suicide. But how was the suicide possible? He found in the vault on top of the safe an old lamp, which no doubt had been there ever since Mr. Barron's death.

Gancelo Safford, now deceased, testified before the auditors that in making some repairs in the summer of 1878, he saw this lamp, also a screwdriver. Mr. Dearborn took the gag, the cord, or roping, and handcuffs found on Mr. Barron, closed and fastened the doors behind him, put the gag in his mouth fastened around his neck, put on

the loose cord, slipped his hands into the handcuffs behind him and laid down, with his head on the small trunk, precisely in the manner in which Mr. Barron was found, all in four and one-half minutes. All this led to further investigation and review of the circumstances. It was found that there was every reason to believe that the lamp and screwdriver were in the vault on the 22nd of February and previously. The loose cord or roping found around his neck corresponded with a similar coil found in the back room. The scarf where it had been cut off corresponded with it. The gag was the wood of a pail handle, not a professional gag.

Everybody remembered that the coal hod seemed to be very carefully tipped over; coal not scattered; no smooching of coal dust on the floor, no noise had been heard in the postoffice below, where were several persons all the time. The handcuffs were accounted for.

This matter of the handcuffs, in connection with the testimony of Geo. A. Abbott, is of immense importance. It stands thus: One Mead, formerly of Parkham, a policeman in Boston, an acquaintance of Mr. Barron, called upon him in the summer of 1877. In conversation between Mr. Barron and Mr. Mead, Mead exhibited a pair of handcuffs. Barron seemed very much interested in them, slipped them on his wrists and asked him where such a pair of handcuffs could be obtained. Mead told him they could be obtained in a certain place in Boston. On September 12th, Mr. Barron, without asking C. W. Curtis, cashier, to attend to the Savings Bank in his absence, as heretofore had been his custom to do, suddenly disappeared without informing Mr. Curtis anything about it. He was absent two nights and one day. It is known that he went to Boston, because Mr. William P. Appleyard, of Guilford, came

back in the same train with him, and breakfasted with him at the Shaw House at Newport.

Afterwards, in October, George A. Abbott was in the Savings Bank, saw a hardwood stick, or club, and an iron link, such as is used to connect railroad cars. He said to Mr. Barron, "You are pretty well prepared for them if anyone attempts to rob you." "Yes," replied Barron, "and besides I've got a pair of handcuffs." Barron did not show him the handcuffs, but simply stated that he had them. Now, a pair of brand new handcuffs were found on Mr. Barron. If the supposed murderers furnished them, the other pair of handcuffs would have been found in the bank. No handcuffs were ever found, except those found on Barron's wrists. The conclusion is inevitable that the handcuffs found on Mr. Barron are the same handcuffs which he told Mr. Abbott he had. No one can doubt the testimony of George A. Abbott. No man's integrity stands higher. Now, the testimony of George A. Abbott on the matter of the handcuffs was offered, but was excluded in the trial of Stain and Cromwell. It seems to me that it should have been admitted. It was of immense importance. The theory of the defense was that Barron committed suicide, counterfeiting murder. It seems to me that whatever Barron had done or said in the most remote degree bearing on that issue was competent. At all events the real evidence about the handcuffs was of the most convincing nature, but was not in the case.

It further appeared that Mr. Barron was exceedingly nervous about the bank for some days previous to the 22nd of February. He told Mr. Bradbury and Mr. Dustin that he could not sleep nights. So much was Mr. Bradbury impressed with the anxiety of Mr. Barron that when in the evening of February 22nd inquiry was made of Mr. Bradbury at his house, and he was told that Mr.

Barron was missing, the first words that Mr. Bradbury said were, "He has not committed suicide, has he?" Several savings banks in the state had recently met with difficulty. The Newport Savings Bank suspended payments on the 18th of February, which still further increased the distrust in savings banks. There was a run on the Dexter Savings Bank. There was danger that the bank would have to stop, and he knew that in that event a full examination would follow, and his crookedness would undoubtedly be exposed. I say "crookedness." Why am I justified in using that term? Just look at this. In course of time the affairs between Mr. Barron's estate and the bank were submitted to an examination of auditors appointed by Chief Justice Peters, of the Supreme Court, Hon. Samuel F. Humphrey and John S. Ricker, before mentioned. More competent men could not be found in Maine. They made a protracted and very full examination of the affairs of the bank in connection with Mr. Barron, including the manner of his death. And I here quote what they say in one single item, viz., the charge made by Mr. Barron on the cash book as having paid out $520 for a United States bond on February 21st, the day preceding the memorable February 22nd.

The testimony bearing upon this point was very voluminous.

This bond entry appears on the cash book under date of February 21, 1878, on the credit side thereof, and is as follows:

"U. S. Bond, $520.00."

February 21st was the last business day during which Mr. Barron was present in the bank. The next day, the 22nd, was a holiday, and during that day Mr. Barron was in the bank and did little business and made at least two entries, but under date of February 21st.

The fact tending to prove the purchase of this bond was the aforesaid entry made by Barron on the cash book. On the other hand it appeared that the bank on January 3rd preceding, had borrowed of the Dexter National Bank the sum of $6,000 to meet the calls for dividends, and such other calls as might be made on the bank.

During the time that intervened between January 3rd and February 16th the balance of cash on hand had been steadily diminishing from $9,935 to about $1,963, as shown by the cash book, and this balance continued to still further diminish until February 22nd, the last day Mr. Barron was in the bank. The drafts upon the bank by depositors during this period largely exceeded the deposits, occasioned doubtless by the want of confidence then widely existing in relation to the solvency of savings banks. And, as a result of this want of confidence, numerous notices to the bank had been given by depositors for the payment of deposits. So that at this time notices to the bank had been served by depositors calling for the payment of considerable sums of money.

There was much excitement in the community relative to the Newport Savings Bank, which had suspended February 18th, and savings banks at that time were being largely distrusted. The bank officers were, therefore, naturally, at this time, solicitous as to obtaining funds to meet the numerous and pressing calls by depositors then pending, and were, of course, not anxious nor in a condition to make loans, or purchase additional securities, and it was in evidence that Mr. Barron had expressed doubts of the ability of the bank to go along; and, besides, it appeared that on February 22nd a depositor met Mr. Barron in the bank, by appointment made February 19th, to draw a deposit of $400, and it appeared at that interview with this depositor (February 22nd), he had substantially

no money in the bank, but had some $844 on deposit in the Dexter National Bank. Mr. Barron finally gave this depositor, to make up the $400 previously agreed to be paid, a check on the National Bank for $200, and the other $200 he obtained in currency by going out of the bank and obtaining it of some person owing him or the bank.

From this transaction and also from other testimony as to transactions and conversations in the bank on said February 22nd, we are satisfied that Mr. Barron had substantially no money on hand in the bank at that time, not even to the amount of $50. The whole amount of his available means was the deposit in the National Bank, which was some $644 after he had given the $200 check of February 22nd.

The cash book at close of entries of February 21st (two of which entries at least were made February 22nd) called for a balance of cash on hand of $1,048.90, and the special deposit ledger called for an additional balance of cash on hand of $652.55, equalling $1,401.54, to say nothing about other matters; and we find that the only funds he had were the balance of deposit in the Dexter National Bank, amounting to some $644. He had substantially no funds on hand in the Savings Bank at that time.

The officers of the Savings Bank had never authorized Mr. Barron to purchase the U. S. bond in question and had no knowledge of such purchase. It seems to us extremely improbable that, taking into account the small amount of available funds on hand and also the facts of pressing calls by depositors then being made, that Mr. Barron should have purchased this bond either as a temporary or permanent investment, particularly when he had to meet a call on the 22nd of $400, which he had so little ability to respond to.

Careful endeavors by the officers of the bank to ascertain from whom any such bond was purchased by Mr. Barron were entirely fruitless. No witness could be found to throw any light upon any such purchase, and no such bond was found among the assets of the bank after Mr. Barron's death.

After a careful consideration of all the testimony and circumstances bearing upon this point we are reluctantly constrained to conclude that no such bond was purchased and that this item of the plaintiff's claim is sustained.

The auditors found his defalcations to be altogether (with interest) on October 1st, 1883, $2,011.38. Many people ask the question, why did Mr. Barron commit suicide for so small a defalcation? There is but little pertinency in the question. It was not the amount of money missing, but the disgrace, which he dared not face. He was deacon of the Congregational Church in good standing. On exposure he would become a fallen man. He could not thereafter live in the town of Dexter, save in mortification and disgrace. It is observable that he carried $13,000 life insurance, the annual premiums on which must have been four or five hundred dollars.

You ask, what is the opinion of the community in Dexter? In the fall of 1878, when suspicion first began to be entertained disadvantageous to Mr. Barron, the trustees were A. F. Bradbury, president, Nathaniel Dustin, Tristram P. Sawyer, Job Abbott, Hiram Carr; George Hamilton was treasurer. Since that time Milton L. Abbott has been upon the board and the present members are Eben Tibbetts, president, N. Dustin, T. P. Sawyer, H. S. Dole, Elias A. Mower, and A. F. Bradbury is treasurer.

In the meantime the officers of the National Bank of Dexter have been Charles Shaw, president; Cyrus Foss, vice president; C. W. Curtis, cashier, also president; Chas.

M. Sawyer, cashier, and to my certain knowledge not one of the above named persons nor any of the directors of the National Bank, who have resided in Dexter during the same time and whose opinions I know, have entertained a doubt that Mr. Barron committed suicide. Various insinuations have been made in the newspapers, sometimes from the pulpit, against the bank officers, but if there are any trustworthy people in Dexter surely they can be found in the above enumeration.

Especially have slurs been made against Mr. George Hamilton. He is now deceased, but no man in Dexter ever made a brighter record for integrity than he, or had greater confidence of the community. He was chairman of the selectmen in 1870-1-5-6-7, treasurer of the school fund from 1857, treasurer of the town library from 1880, treasurer of the Dexter Savings Bank from 1878—holding all these offices to the time of his death in July, 1888,—was director and vice president of the National Bank of Dexter twelve years, and had been a member of the legislature. Any insinuation from any quarter that he was capable of tampering with the books of the bank is most unreasonable and unchristian. Every suspicious entry in the books is in the handwriting of Mr. Barron.

Hon. Josiah H. Drummond also became thoroughly convinced of the suicide. It was by no means a pleasant duty on the part of the trustees of the Savings Bank and officers of the National Bank to come out to the world and confess their error and to say that they were now convinced that Mr. Barron committed suicide. They had heretofore stated to the public what they were afterwards convinced was erroneous, had obtained about $6,000 upon such representation and were morally compelled as honorable men to acknowledge their error.

The evidence adduced at the trial of Stain and Cromwell has had no effect on their convictions. Testimony coming from persons who only casually saw a man once ten years previous, and who swear to his identity, is of about as much value as would be the swearing to the identity of a mosquito seen ten years ago. In many of the cases we know who the men were that they on the trial called Stain and Cromwell. They were in no cases the prisoners Stain or Cromwell, nor were they suspicious persons. Then, there is the B. C. Sanborn affair, letters introduced after counsel for defense had closed their arguments, and after the attorney general had argued an hour or two. Letters which the attorney general had had in his possession a long time, offered for the purpose of showing a resemblance of Stain's handwriting to the receipt signed "B. C. Sanborn"—introduced when there was no opportunity to meet them—on the trial of men whose liberty for life is at stake. Such practice was never heard of before within the limits of Maine.

"What would you have done, had you been counsel for the defense, Mr. Crosby?"

I would, without reading the letters offered by the attorney general, have crushed them in my hand and thrown them in his face, in the presence of the court and jury, and court room crammed with spectators.

This B. C. Sanborn, Mr. Crosby continued, has since been found and testifies that the "B. C. Sanborn" receipt is a genuine receipt—signed by himself. Yet, the pretense by the state was that it was a receipt given by Stain under a false name, and it is generally understood that this "B. C. Sanborn" matter was the final and effective cause of the conviction. It seems to me that this matter alone is sufficient cause for a new trial. I know that Col. Jasper Hutchings, for many years county attor-

ney, concurs with me in this censure of that proceeding of the attorney general.

I have never read of a case where there was so much systematic lying for the purpose of prejudicing the public mind. Just look at the beginning in the newspapers. Charles F. Stain first appeared in the New York World of October 17, 1887, in which he gives an account of three trips of Stain and Cromwell to Maine; he was with them each time. The third trip was in February, 1888. He says that they drove to Kendall's Mills on the 20th. Stain and Cromwell went to Dexter, and he, Charles F. Stain, went to Solon and Bingham to wait for them, and he gives very circumstantial particulars of this expedition in which he participated.

Now, on the arrest of Stain and Cromwell, this third expedition soon dropped out as far as C. F. Stain had any knowledge of it, for the very good reason that the records of Auburn jail showed that he was then, and for some time previous had been, confined to jail and there remained until he was sentenced to State Prison. Then it was continually reported that Cromwell was going to confess. Confession! Cromwell was a baby, completely broken down and cried like a child both before and after the trial. He and Stain were bitter enemies. He would have confessed long ago had he anything to confess.

I have touched on some of the more prominent points, but there are innumerable things omitted. To do justice to the whole case would fill a book, but I think I have said as much as you will have room to print.

Abstract from Speech of S. P. Crosby upon Judge Westcott Wilkin's Retirement from the District Court Bench, at St. Paul, Minn., January 4, 1891.

(Reproduced from memory twenty-one years after.)

May It Please the Court:

Without the pretense of speech-making, I desire to add a few words to those already fittingly spoken of Judge Wilkin.

As has been said, Judge Wilkin has been a most able and impartial judge of this court for the last twenty-five years.

Never elated by success, never depressed by adversity, it can be said of him, as has been truly said of one whose name is embalmed in the hearts of his countrymen, that "he has always shown the very genius of common sense."

* * * * * * * *

In the consideration and disposition of cases by Judge Wilkin we are reminded of the expression of Tacitus when he said "truth is confirmed by inspection and delay; falsehood by haste and uncertainty."

In entering the court room where Judge Wilkin was presiding judge we observe counsel sitting beside his client, the counsel closely and diligently watching and following all points affecting his client's rights and bringing to light hidden facts in the search for truth. We see the witness on the stand, properly protected; the jury in the box, giving close attention; and the spectator in the background, listening to the proceedings.

And the observer will be convinced that in Judge Wilkin's court justice prevails and right triumphs.

* * * * * * * *

When opening this Temple of Justice not long ago we well remember the clear and simple definition of law Judge Wilkin gave when he said "its theory was exact justice to all" and, quoting from those golden lines of Hooker, "its seat is the bosom of God and its mother is peace."

Remembering, as we do, what Mark Antony said, so we can say of Judge Wilkin, "His life was gentle, and the elements so mixed in him that Nature might stand up and say to all the world 'this was a man'."

The following prize essay was written by S. P. Crosby, the author, at the age of nineteen, during his junior year in the Maine State College, now the University of Maine. The desire to preserve this article, which was written in 1878, and by a Crosby, is the only apology for ending the book with the same.

The Profession of Law.

There are pursuits whose methods and aims are generally constant and determinable. The profession of law falls within this class. It proceeds from the wants of society and has its appropriate duties. These have suffered little change since society first assumed its fixed forms and governments exercised orderly functions. History, when minutely examined, will warrant the general statement that the study and practice of law as a profession has developed a peculiar class of men, with a well-defined type of character and a distinct form of influence.

Law, in its broadest sense, is the mode and measure of action. In its ordinary political sense it is a rule of civil conduct—a command proceeding from some acknowledged authority, and designed to regulate the conduct of men. It deals with realities. The forces which the law directs are palpable; the threats it denounces are visible; for they are confined to this life and are executed with mortal hands. The field of activity in which the lawyer is engaged, the forces amidst which he moves, stamp upon him the characteristics which in all states of regulated society have given him comparative precedence, not only in expounding laws, but in revising and fashioning them.

There are other characteristics which determine and explain its relations.

First, the law is pre-eminently the result of a continued development. Its roots run back to the primitive practices of customs of whose origin and cause history can only vaguely say "they arose from the wants and instincts of man." Much true law in all ages had proceeded from sources which still conceal themselves in mists and shadows of prehistoric times.

Reason, learning and philosophy have been employed to build up these massive codes, which still cast their long, deep shadows over the Christian world. History is inextricably interwoven with the law; that, as you look out from the temple of civil liberty, you cannot mark a stone that is not laid in the irrefragable mortar—not a pillar, column or arch which is not held up by law. Law is simultaneous in its growth with civilization. It is the first requirement of society and the first effort it puts forth. The security of life, property, rights and the interests of all communities demand law. It is not force which creates society and the power which preserves it, but law that moves with equal step in the advance of society.

If we look over any considerable space of history, the general correspondence of the advance in laws with the progress of society will clearly appear. The statute book of a country may not show this, but the laws of nations, when compared with the rude customs of tribes in primitive condition of the earth, will plainly reveal it.

Who that has witnessed a great example of legal skill, or has read a strong forensic argument like that in the trial of Knapp for the murder of White, argued by Webster, has not marked the lawyer's powers through all the variations, by metaphor, by sarcasm, by raillery, imagination and the thunders of denunciation, until he presses on to some narrow and single aim, the conviction of that one man whom he is appointed to prosecute?

The lawyer's success and failure, too, are determinable, for there are few clouds of mystery within which he can locate the causes of his prosperous or unsuccessful career.

In the variety of its practical relations to men's lives, its knowledge of human nature and its contact with all classes of men, the profession of law stands pre-eminently among all others.

There are many contrasts between the legal profession and that of the physician and the clergyman. Turn to the busy lawyer—the various subjects of his advice or advocacy. What relation of life does he not know? What form of the dealings of men, of their methods or spirits, is not disclosed to him? He writes the marriage settlement and guards the orphan's heritage; he examines the title of real estate and draws up the deed of transfer; and when life draws to a close, or whenever its uncertainties impress the mind, it is the lawyer who first comes to know those purposes and feelings never before disclosed—those ruling passions, strong even in death, as his hand traces the last

will and testament. "Into such recesses of the human heart, hidden often from every other human eye, the lawyer daily looks."

The practice of law makes one careful in the expression of his religious opinion. He would seek to clothe his doctrines in that garb which appeal to reason and which could be defended with logic. He has learned to penetrate the designs of hypocrisy and not to trust mere sentiment. Trained to reverence authority, he will not lightly abandon the revealed law of Jehovah, nor will he admit the traditions of men as the foundation of his faith. It was not with equal rapidity that all classes of men in ancient Rome adopted the monotheistic view. The merchants and lawyers and soldiers, who, by the nature of their pursuits, were more familiar with the vicissitudes of life and had larger intellectual views, were the first to be affected, while villagers and farmers remained pagans to the last.

Law has sometimes arrayed itself with prejudiced opposition against the clear demands of justice and true progress of civilization. On the other hand, we can point to its grand work in checking the usurpation of governments, in the protection of the widow and the orphan, in guarding the rights of the poor and the interests of the people.

But human progress, the progress of the race, are enchanting phrases. No thought is more cheering or ennobling, no thought is more inspiring, than the conception of the general, gradual advance of men towards higher sentiments, purer life, nobler attainments.

Our presidential office has been filled by nineteen persons, of whom sixteen were trained to the profession of law. Eighty-nine years have passed since the first inauguration of Washington, during sixty-nine of which a lawyer has filled the presidential office. Our national con-

gress has never failed to have a majority of lawyers. The record of cabinet ministers, high foreign ambassadors and governors of states, exhibit a similar preponderance. Thus showing its influence in the past and its effect on the future.

With Hooker we may say: "Of law there can be no less acknowledged than that her seat is the bosom of God, her voice the harmony of the world. All things in heaven and earth do her homage; the very least as feeling her care, and the greatest as not exempt from her power,—both angels and men, and creatures of what condition soever, though in each different sort and manner, yet all with uniform consent admiring her as the mother of their peace and joy."

FINIS.

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SARAH, 1706 | NATHAN, 1708 | RACHEL, 1710 | DOROTHY, 1712 | CATHERINE, 1713 | OLIVER, 1716-1746 | MARY, 1722

REBECCA, 1743 | OLIVER 1744-1825 | JOSIAH, 1746-1819

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